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THE^{o+}
HISTORY
OF
TREATIES:
CONTAINING

All those that have been concluded from the Peace of *Munster* inclusive, to this Time; the several Infringments, or Incroachments alledg'd on all Sides, particularly urg'd against *France*; and the Pretensions which have been the Occasion of Breaches.

The memorable Actions and Events of the Wars that have ensued from Time to Time: The whole being a Series of the most signal Occurrences, either Martial or Civil, for above Sixty Years, throughout all *Christendom*.

Of singular Use for the Understanding of the Nature of Treaties, the Grounds on which the Present Negotiations are carried on, and the Contests now on Foot between the opposite Parties.

L O N D O N : G. 74

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THE HISTORY

OF THE

CONSTITUTION

All those that have been connected with the
people of America, inclusive of the time
the great instruments of human progress
have been on all sides, particularly in the
early years of the Revolution of America.

The remarkable Affairs and events of the
Revolution have entered into the
history of the whole world, and of the
American and European nations, and of the
American people, and of the American
people, and of the American people.

The history of the American people, and of the
American people, and of the American people,
and of the American people, and of the American
people, and of the American people, and of the
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THE
INTEREST
OF
EUROPE
Consider'd, &c.

THE Use and Advantage of Reading and being Acquainted with Treaties concluded between Sovereign Princes, is so little known, that it will be proper to say something of it before we come to the Treaties themselves, for the Information of those who look upon this part of Knowledge as necessary to none but Ministers of State, and such as aspire to the Management of Publick Affairs, being but a very small Number in a Monarchy, where the Choice of them depends on the Prince's Pleasure. However, tho' there be few that make it their Study to qualify themselves for managing of Treaties, because, being an Affair of the highest Consequence, and often entangled with

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extraordinary Difficulties, none are capable of it but Persons of a Superior Genius, of Consummate Wisdom, and of much Experience; yet it does not follow, that those who are not capable of being employ'd in such Negotiations, or who have no share in the Government, may not improve themselves by reading of Treaties, and the Memcirs of Ambassadors: For there are many Thousand Passages in History, which are never rightly understood, for want of being acquainted with the Treaties on which they are grounded; and abundance of Historians Discourse very Impertinently concerning the Differences between Princes, because they are wholly Ignorant of the Conventions, Capitulations and Agreements that have been made between those Princes. There is no doubt but that History is the principal Entertainment of the reading Part of the World, of what Profession soever, whether Civil or Military; and it is no less certain, that there is an absolute necessity of their being acquainted with the Treaties concluded between Princes, for the Understanding of several Parts of History, which are not sufficiently explained by Historians, and for discerning which Side is in the Right, when Sovereigns are at Variance about those Treaties they have
conclu-

concluded among themselves. For notwithstanding some Princes put what Interpretation they please upon those Articles they Infringe, still Men of Sense and Judgment, will easily discover the Falseness of the Prince who breaks his word, by comparing the Comment or Exposition with the express words of the Article in Debate.

Thus far are the words of Monsieur *Amelot de la Houssaie*, in his Historical Discourse concerning the Treaties concluded between Princes. To this I must add, That the present small Collection of Treaties here offer'd to the Publick, is indispensably necessary for the understanding of the Negotiations now in Hand, towards Establishing of a General Peace. The Treaty of *Munster* has been in some Measure the Ground-work of all that have follow'd; that of the *Pyrenees* is no less quoted for its standing, and so every one successively comes to be mention'd in that which is subsequent. When they are thus referr'd to, those Persons who have them not, are left in the Dark, without knowing which way to extricate themselves, or at best oblig'd to take up with the imperfect Accounts they can meet with in Conversation, from those few who are somewhat better Read, whereas these Tre-

ties will fully inform the Judgment, and satisfy the Curiosity of all Persons that desire to be thoroughly appriz'd of what they Read, and to comprehend the extent of the present Negotiations.

There is a perpetual Concatenation in Thought, one Link leads to another, and so we pass from our own to the remotest Times. The naked Treaties must be set off with the Knowledge of the Events which were the Causes of them. This will oblige us to look back to the Wars that occasion'd those Negotiations, because all Men are not so well vers'd in Foreign History as to understand them without some help, and even those who apply themselves to it more particularly, cannot burden their Memories with all that may be pertinent, and will not dislike to have them refresh'd by some short Hints of those Things they cannot perhaps so distinctly call to Mind without looking back into the Authors, where they may not so readily be found without some Time and Trouble. For the saving of which I shall very briefly lay down the Posture of Affairs in *Europe* before the Treaty of *Munster*, with it's Consequences, and what Advantages *France* made of it. The same Method shall be observ'd as to all the other Treaties.

And

And forasmuch as it is requisite to know something of the Source of the Pretensions, which have so often disturb'd the Peace of *Europe*, and occasion'd such implacable Animosities between the Houses of *Austria* and *Bourbon*, engaging all the other Christian Princes in their Quarrels, with an immense Effusion of Blood, and the Desolation of the most flourishing Provinces, we will touch these Matters so as to give a Light into them, with all possible fairness and impartiality, without presuming to decide the Rights of Sovereigns, or giving them any indecent Epithets, as is too often done by some who by their Protestations would be thought no way guided by Affection or Prejudice, tho' at the same time they cannot forbear railing, and the worst of Language. Here shall be no Reflexions, but the Facts shortly stated in the clearest manner, leaving every Reader to make his own Judgment, without imposing our Notions on him for Law. If any shall dislike of the Brevity of this Tract, they may have Recourse to History for a fuller Information, and will here find sufficient Heads to lead them into the Reading of many Volumes. Let us proceed to the Original Grounds of the aforesaid Pretensions.

The Universal Monarchy so much talk'd of, was never so near being attain'd to, since the Overthrow of the Roman Empire, as by *Charlemaign*, the mighty King of *France*, afterwards declar'd Emperor, who reduc'd under his Dominion, not only the entire Kingdom of *France*, but all the Upper and Lower *Germany*, containing those we now call the Seventeen Provinces of the *Low Countries*, with *Burgundy*, *Alsace*, and other Places, which have of latter Ages been the occasion of so many Wars, as also *Italy* and other Provinces, too tedious to particularise, and no way to our present Purpose. *Charlemaign* having divided his Empire among his Sons, that Custom afterwards prevail'd, and was the occasion of bloody Wars between Brothers and other near Relations. Our intended Brevity will not allow us to be particular in the manner of the Descent, but certain it is that the *Low Countries* were for many Years after an uncontested Province of the Crown of *France*, which still bore up very Powerful, till *Lorain* was annex'd to the *German* Branch, and the Province of *Neustria* yielded up to the *Normans*, and from them call'd *Normandy*, in the Reign of *Charles the Simple*, about the beginning of the Tenth Century, and Two Hundred Years after

after the Death of *Charlemaign*. Yet still both the *Provinces* of *Lorain* and *Normandy*, tho' cut off from the Crown, were held by Homage to it. *Flanders*, had been long before govern'd by those they call'd *Foresters*, who were subject to the Kings of *France*. It was first made a County or Earldom by *Charles the Bald*, in favour of *Baldwin of Ardenne*, surnamed *Bras de Fer* or *Iron Arm*, about the Year 860, and continu'd as such in his Posterity till *Lewis of Male* dying about 1346, without any Issue Male, and only one Daughter call'd *Margaret*, who in her Mother's Right, was also Dutcheß of *Brabant*, both those *Provinces* were by her convey'd to the House of *Burgundy*, she marrying *Philip the Hardy*, fourth Son of King *John* of *France*, from whom the second Branch of the said House of *Burgundy* Descended. The Male Line of that Family expiring in *Charles the Rash*, kill'd at *Nancy*, about the Year 1467, his only Daughter *Mary* Marry'd to the Emperor *Maximilian* the First, transferr'd the Possession of those Dominions to the House of *Austria*, in which they continu'd, and were ever the Apple of Discord between that House and *France*, before the latter Pretensions on Account of Marriages had taken Place, *France* ever

claiming it's Ancient Right of Sovereignty, and the others asserting their Title, as well by the Pen as the Sword; the Argument alledg'd on both Sides being answerable to the Blood shed in the Quarrel.

As for *Burgundy*, not to run through all it's History, after having been some time under Dukes of it's own, it devolv'd to *Robert King of France*, who bestow'd it on his Son *Robert*, the first Duke of that call'd the first Line, who dy'd in the Year 1075. His Race being extinct in 1361, King *John of France* gave that Dukedom to his Fourth Son *Philip*, who was the first of the second Race above mention'd. Thus much may suffice to form some Idea of the Pretensions on both Sides, leaving every Man the full Liberty of deciding in Favour of either, according to his own Judgment and Inclination, and the Curious to seek for further Information among the many Authors, who have engag'd to assert the Right of each Party.

Having hitherto endeavour'd with all possible Brevity, to shew the Grounds of the Ancient Animosities between the two Houses of *Austria* and *Bourbon*, we come now to the Points nearer at Hand, relating to the Treaties contain'd in this Collection, which shall succeed one another, in their proper

proper Order, and accordingly, the first thing shall be to shew the distracted Condition of *Europe*, which was in some measure settled by the so much Celebrated Treaty of *Munster*.

After *Germany* had suffer'd much by the Wars on Account of Religion, in the Reign of the Emperor *Charles* the Fifth, Peace was for a time restor'd by the Accommodation concluded at *Passaw* in the Year 1552, between the Emperor *Ferdinand* I. and the *Lutheran* Princes, afterwards ratify'd at *Ausburg* in 1555; at both which Places, the *Lutherans* were settled in the free Exercise of their Religion, and many of the Revenues of the Church, which they had possess'd themselves of, entirely resign'd up to them; but the *Calvinists* were wholly excluded, and it was particularly provided, that they should not for the future inroach upon the Church. However, it was not long before their Power increasing they began to thrust out many Priests from their Livings, and to seize very considerable Ecclesiastical Revenues. The Differences being too far advanc'd, to be amicably adjusted, Recourse must be had to decide by Arms, what the Law could not, and accordingly both Parties began to strengthen themselves with Confederates; the Protestants calling themselves

selves the *Evangelical Union*, and the others taking the Stile of the *Catholick League*. In this last were the Bishops of *Metz*, *Cologne* and *Treves*, being the Three Ecclesiastical Electors, with those of *Bamberg*, *Wirtzburg*, *Saltzburg* and *Aichstadt*, and *Maximilian*, Duke of *Bavaria*, was appointed their General. On the other Side were the *Landgrave* of *Hesse*, the *Marquises* of *Anspach*, and *Durlach*, the Prince of *Anhalt*, and several Imperial Cities, whose General was *Frederick*, Elector Palatine. Foreign Princes and States were invited and Courted by both Sides; by the Protestants, the Kings of *England*, *France* and *Denmark*, the *Venetians*, *Dutch*, *Hungarians*, *Bohemians* and *Transilvanians*; by the Romanists, the Pope, the Kings of *Spain* and *Poland*, the Great Duke of *Tuscany*, and *Albertus* Prince of *Flanders*. Troops were rais'd in all Parts, and all things dispos'd for an open Rupture.

The first Effects of it appear'd at *Prague* the Capital of *Bohemia*, where the Protestants offended at the imprisoning of some of their Party, broke in upon the Emperor's Council, and threw three of them out at the Windows, and banished the *Jesuits*. Both Sides Arm'd, and the *Bohemians* to strengthen their Interest, declar'd *Frederick*, Count *Palatin* their King; but his
Reign

Reign was short, his Forces being soon after entirely defeated by the Elector of *Bavaria*, the General's Emperor. Upon this Success immediately ensu'd the Reduction of *Bohemia*, *Moravia* and *Silesia*, and the Emperor *Ferdinand* not so satisfy'd possess'd himself of the *Palatinate*. However Count *Mansfeldt*, General of the Protestant Forces, was not discourag'd, but gathering the scatter'd Remains of his broken Armies, solicited *France*, *England*, *Denmark* and *Holland*, all which, enter'd into an Alliance against the Emperor. All *Europe* was Embroil'd, and to pass by their private Quarrels, *Gustavus Adolphus*, King of *Sweden*, invaded *Germany* in the Year 1630, confederated with the Protestants, ravag'd all the Empire, and was finally slain at the Battle of *Lutzen*, in the Year 1632. This put not an End to the War, which was carry'd on with much Bravery by the *Swedes*, but their Party declining, the Emperor concluded a Peace, with the Elector of *Saxony* and other Protestant Princes of the Empire at *Prague*, in the Year 1635, by which these were to enjoy all that had been granted them since the Accommodation at *Possaw*. The *Swedes*, no way satisfy'd with this Peace, and supported by *France*, held their Footing in *Germany*, and both made many Conquests; several

several of the Protestants, who had before consented to the Peace of *Prague* coming over to them. This *German War* continued for the space of *Thirty Years*, with such small Intervals of Peace as were scarce worth observing. No Part of *Europe* was exempt from some share in the Troubles, *France* and *Spain* were seldom in Amity; the *Low-Countries* maintain'd their Revolt; *Poland* was harass'd by *Muscovites* and *Turks*; *Italy* by *French*, *Spaniards* and *Imperialists*; *Spain* by the Revolted *Portuguese* and *Catalonians*; and *England* by the Parties of the King and Parliament.

Such was the Distracted State of *Christianendom*, when the *Venetians* us'd their Endeavours to mediate an Accommodation in the Year 1641. Two Years were spent in mollifying the incens'd Parties so far as to bring them to Treat, so that it was in the Year 1643 before their Plenipotentiaries met. The Differences to be adjust-ed were immense, the Obstinacy of those concern'd incredible, and the Vigour with which the War was still carry'd on unspeakable. So great a Congress of Plenipotentiaries from all Christian Princes had scarce been seen before, as now met at *Munster* in *Westphalia*. Yet, notwithstanding all their Endeavours, and the indefatigable

indefatigable Industry of the Noble *Contarini*, the *Venetian* Mediator, near five Years were spent in Debates, which nevertheless had at last a happy Issue, giving Peace to the greater Part of *Europe*, by those famous Treaties of *Munster* and *Osnabrug*, concluded in the Year 1648, with which we begin this Collection.

Articles of Peace between the King of Spain and the States-General of the United Provinces, Agreed on, Sign'd and Seal'd at Munster, January 30, 1648.

I. **H**IS Majesty declares and acknowledges the said *States-General* of the *United-Provinces*, and the Provinces thereof, with their Dominions and Dependencies, to be a Free State; over whom or any Part whereof, his said Majesty does not claim any Dominion, nor shall his Successors hereafter pretend to any, and accordingly is content at present to Treat with them about a General Peace on the following Conditions.

II. *Viz.* That the said Peace be real, firm, sincere and inviolable, and that consequently

sequently all Acts of Hostility, between the said King and States, shall cease both by Sea and Land, throughout all their Dominions, and in all Places whatsoever.

III. Each Side shall hold and enjoy all the Dominions, Towns, Places, &c. they are now possess'd of, without any let, or Molestation, including the Villages, Hamlets, Lands, &c. depending on them, and consequently those of *Bolduc*, the Marquisate of *Bergen of Zoom*, the Town and Barony of *Breda*, the City of *Utrecht*, &c. shall remain to the *States*.

IV. The Subjects on both Sides shall observe a good and friendly Correspondence among themselves, and may resort to and settle in the Territories of each other, and follow Trade and Commerce both by Sea and Land.

V. The Trade to the *East* and *West-Indies*, shall continue as hitherto settled, or as shall be hereafter agreed.

VI. As for the *West-Indies*, the Subjects on neither Side shall Trade to those Ports, or other Places, which are Garrison'd by, or in the Possession of the other.

VII. Considering the distance of Places, there shall be a full Year from the conclusion of this Treaty allow'd to the remoter Places, and half a Year to those which are nearer in the *West-Indies*, before the Peace

Peace shall take place, unless Notice thereof shall appear to have been given to the said Places in a shorter time.

VIII. The Subjects on both Sides Trading in the Dominions of either, shall not be liable to pay any greater Duties than are paid by the Natives of the Places to which they Trade.

IX. It shall not be lawful for the said King, or States, to exact any Tol, or other Duty on Goods, without their own Bounds.

X. The Subjects on both Sides shall enjoy the same Immunity from Tols, they were in Possession of before the Wars.

XI. It shall not be lawful to obstruct Commerce between the Subjects on both Sides.

XII. Immediately after the Ratification of the Peace, the King shall take off all the Tols along the *Rhine* and *Maese*, which were before the Wars in the Possession of the United-Provinces.

XIII. White Salt imported into the King's Dominions from the United-Provinces, shall pay no other Duty than common Salt; and Salt carry'd from the *Spanish* Dominions to those of the United-Provinces, shall pay no more Duty than their own.

XIV.

XIV. The River *Scheld*, and the Canals of *Sass* and *Swyn*, and other Inlets to them from the Sea, belonging to the States shall be shut up.

XV. Ships and Goods passing from the Ports of *Flanders* shall continue liable to the same Duties as those pay which go up or down the *Scheld*, or other Canals above-mention'd; and the Impositions on both Sides shall be hereafter adjusted.

XVI. The *Hanse* Towns, and all belonging to them, shall enjoy all the same Liberties and Immunities in the *Spanish* Dominions, as the Subjects of the *States-General*; and these the same as are, or may be granted to them.

XVII. The Subjects of the States shall enjoy all the Priviledges granted to those of *Great Britain* in the Treaty lately concluded with the Constable of *Castile*.

XVIII. The King shall appoint decent Places for Burial of such of the Subjects of the States as shall happen to die in his Dominions.

XIX. The Subjects of each Parties repairing to the Dominions of the other, shall be oblig'd to behave themselves modestly in Point of Religion, without giving any Scandal or Offence.

XX. It shall not be lawful on any Account whatsoever to seize or detain the Ships,

Ships, or Goods, Merchants, or Masters of Ships, &c. unless according to the common course of Justice, upon any Contracts, Bargains, or Obligations of their own.

XXI. An equal Number of Judges shall be appointed on each Side, to reside in the *Low-Countries*, where it shall be agreed on, to determine all Cases relating to Trade, and any Impositions laid on it, as also the Execution of what is agreed on in this Treaty, and the Magistrates of the Place, where any Innovation shall be made, are to see Justice done, according to their Decrees.

XXII. No Judgments shall be Executed against Persons unheard; but in such Cases as are allow'd by the Imperial Laws.

XXIII. It shall not be lawful to enter the Ports, Bays, &c. of the Dominions of either, with such Number of Ships, or Soldiers, as may occasion any Jealousy, without leave, unless upon absolute Necessity, for avoiding the Danger of the Sea.

XXIV. All Goods, or Estates seiz'd or confiscated on Account of the Wars, shall be restor'd to the former Owners, or their heirs, without any trouble of Tryal, and they shall have full liberty to sell and dispose of them.

XXV. The same shall be observ'd in Relation to the Heirs of the late Prince of Orange, as to the Right to the Salt-Pits in Burgundy, with the Woods depending on them.

XXVI. In which also are to be comprehended the Rights and Estates they have in the County of Burgundy and Charolois.

XXVII. There are also to be included the Rights and Estates, adjudged, during the Twelve Years Truce, to the late Count John of Nassau.

XXVIII. Gbassel Belin shall be put into the Possession of the young Prince of Orange, immediately upon the Ratification of this Treaty.

XXIX. If any Difficulty shall happen to be made in any Place concerning the Restitution of any Rights or Goods, the Judges shall without delay, on any Presence whatsoever, cause the Possession to be given up.

XXX. The Subjects on each Side shall have liberty to make use of such Lawyers, Notaries, &c. as they shall think fit, and if there be occasion, the Judges shall appoint them.

XXXI. If the Estates confiscated on either Side shall happen to be Sold, the Parties to whom they shall belong, be

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Virtue of this Treaty, shall be content with the Interest of the Prize to be paid them Yearly, after the Rate of the 16th Penny, to be paid by the Persons possess'd of the Estates so Sold.

XXXII. But if the said Estates have been sold for Payment of the Debts of the said Proprietors, they shall have liberty to recover them within a Year, paying the Value.

XXXIII. This is not to be understood of Houses standing in Towns, which have been sold above their Value on this occasion.

XXXIV. As to Repairs and Improvements made on Estates sold, which may be redeem'd, the said Estates shall be liable to make them good.

XXXV. All Estates, Goods, Debts, &c. which have been conceal'd, and not confiscated, shall remain to the Proprietors and their Heirs.

XXXVI. Trees not fallen, or continuing on the Ground after the Conclusion of this Treaty, shall remain to the Proprietors.

XXXVII. All things which by this Treaty are to be restor'd, shall from the Day of its conclusion be yielded up to the Proprietors or their Heirs, to make the whole Advantage of the Year.

XXXVIII. All Leases of Estates confiscated, tho' made for several Years, shall expire with the Year in which this Treaty is concluded.

XXXIX. The Sale of any confiscated Estates made after the conclusion of this Treaty, shall be look'd upon as void.

XL. The Houses to be restor'd by this Treaty, shall not be burden'd with Quartering of Soldiers, or any other Impositions, any more than thole of other Inhabitants of the same Condition.

XLI. No Person on either Side shall be hinder'd changing his abode, paying the usual Duties.

XLII. In case any Fortifications, or other publick Works have been rais'd by Authority on the Grounds to be restor'd the Proprietors shall rest satisfy'd with the value assign'd them by the Judges, who shall be oblig'd to allow them what is reasonable.

XLIII. As to the Revenues of the Church within the United Provinces which have not been sold before the conclusion of this Treaty, they shall be immediately put into the possession of the Owners, and the Provinces shall pay the yearly Interest of the 16th Penny for the that have been sold.

XLIV. As to the Pretensions of the Prince of *Orange* to any Estates he has not in Possession, that Point shall be adjusted to his satisfaction in a particular Treaty; but all he is possess'd of shall remain to him and his Heirs in Property, without any molestation.

XLV. All the Contents of two Instruments, the one Dated the 8th of *January*, and the other the 27th of *December* 1647, in behalf of the aforesaid Prince of *Orange*, they shall remain in full Force.

XLVI. Those Persons to whom Estates confiscated are to be restor'd, shall not be oblig'd to pay any Arrears due from the said Estates, during the Time they were not in their Possession.

XLVII. Nothing shall be exacted on the Lands sold on Account of Fencing Banking, unless upon the Lands themselves, for which the Possessors have oblig'd themselves and pay'd down Money on Contracts.

XLVIII. Judgments legally given concerning Estates confiscated, where both Parties have been heard, shall stand good.

XLIX. The King renounces all Pretensions to redeeming, or any other Right he may claim to the City of *Gron*, the little Territory of *Cayck*, and the Barony of

Brabant, formerly held as Mortgage by the Prince of *Orange*.

L. The King also renounces all his Pretensions to the City and County of *Lingen*, the Cities of *Bivergern* and *Cloppenberg*, and all their Dependencies, that they may entirely remain to the said Prince of *Orange*.

LI. The King and States, shall each of them in their Liberties, appoint Officers and Magistrates to administer Justice in those Places which by this Treaty are to be restor'd to their Owners.

LII. The upper Part of the Province of *Guelde* shall be exchange'd for an Equivalent, to be agreed on within Six Months after the conclusion of the Treaty.

LIII. The King obliges himself to procure the Continuation of the Neutrality with the Empire, and the States oblige themselves to observe it on their side.

LIV. Moveables confiscated, and Revenues due before the conclusion of the Treaty, shall not be liable to Restitution.

LV. Suits about Moveables, dismissed on either side, before the conclusion of this Treaty, for the Benefit of private Debtors, shall on both sides remain distinct.

LVI. The time elaps'd during the whole course of the War, shall not be any way look'd back into, to the Prejudice of any Man.

LVII. Those who during the War, withdrew themselves into Neutral Countries, shall enjoy the Benefit of this Treaty, and may return to their Dwellings without any molestation.

LVIII. It shall not be lawful for either Party to raise any new Forts in the Low-Countries; nor to cut Canals, which may be prejudicial to the other.

LIX. The Lords of the House of Nassau, nor Count Solms, Governor of Maestricht, shall no way be molested in their Persons or Goods, on Account of any Debts contracted by the late Prince of Orange.

LX. If this Treaty be any way infrig'd by private Persons, without Directions from the King or States, the Damage shall be immediately made good.

LXI. All disinherisons made on Account of the War are declar'd void.

LXII. The Subjects on both sides are declar'd capable of inheriting, or succeeding one another, either by Will, or without, according to the Custom of the Place.

LXIII. All Prisoners of War on both sides shall be set at liberty without Ransom.

LXIV. The Contributions due on both sides at the Conclusion of this Treaty, shall be regulated by the Commanders in chief.

LXV. Whatsoever has been said, and propos'd in Writing during this Treaty, on either side, shall not be made use of to the Advantage or Detriment of any Person ; but the King, the States, and all others shall enjoy their Rights, pursuant to what is here concluded.

LXVI. The Subjects of the aforesaid King and States shall fully enjoy the Benefit of the 15th Article of the Twelve Years Truce, and of the 10th Article of the Negotiation which ensu'd on the 7th of January, 1610.

LXVII. The Borders in *Flanders* and elsewhere shall be ascertain'd in due time, as they shall appear to extend under the Jurisdiction of each Party.

LXVIII. On the King of Spain's side, there shall be raz'd about *Sluis*, the Forts of *St. James*, *St. Donatus*, the *Star*, *St. Teresa*, *St. Frederick*, *St. Elizabeth*, *St. Paul*, and the Redoubt call'd *Papemuts* ; and on the side of the States shall be demolish'd both the Forts in the Island of *Cassand*,

Cassandt, call'd *Orange*, and *Frederick's* Ports, those two call'd *i' Pas*, and all those which are on the East side of the *Scheld*, except *Lillo* and *Lildrecht*, call'd *Spinola*.

LXIX. All Records, Writings, &c. any way concerning the United Provinces, or their Subjects, which are preserv'd in the Courts, or Archives under the King's Dominion, shall be faithfully deliver'd to Persons appointed by the said Provinces for that Purpose; and the same shall be done by the States in behalf of the King's Subjects.

LXX. The Jurisdiction belonging to the City of *Sluis*, on the Water, shall remain to it.

LXXI. The Bankrais'd at Fort *St. Donatus*, to stop up the River *Sout*, shall be remov'd, and the Passage open'd by erecting Sluces there, and the maintaining thereof be hereafter agreed on.

LXXII. All those shall be comprehended in this Treaty, who shall be nam'd by either side, within three Months after the Ratification of it.

LXXIII. It is granted that the King shall restore to Count *Flodorp* the Castle call'd *Leuse*, with all its Dependencies; saving that there shall be a farther Agreement made between the Conclusion and the Ratification of this Treaty, concerning

ing the maintaining of the King's Garrison, and the demolishing the new Fortifications.

LXXIV. That which was concerted and agreed on between the Plenipotentiaries of the King and States, on the 8th of December, 1646, concerning *Rutger Huygens*, for, and in the Name of his Wife *Anne Margaret de Stralen*, shall be effectually put in Execution, as if it had been inserted Word for Word in this Treaty.

LXXV. And to the end this Treaty may be the better observ'd, the King and States do promise, they will use their best Endeavours to secure the Ways, the Seas and Rivers against Pirates and Robbers, and take care they shall all be punish'd, if taken.

LXXVI. They also promise they will neither act, nor suffer any thing to be acted directly or indirectly, contrary to this Treaty; but if any thing should be so acted, they will order immediate Satisfaction to be made, and oblige themselves respectively to observe all that has been abovesaid, renouncing all Laws, Customs, &c. to the contrary.

LXXVII. This Treaty shall be ratify'd in due Form, within two Months, and if the said Ratification shall come sooner, all Hostilities shall immediately cease, with-

without expecting the Expiration of the said Term ; but Hostilities shall not cease after the concluding and signing of this Treaty, till the Ratifications shall be exchange'd.

LXXVIII. So that all things shall remain on both sides as they are at the conclusion of this Treaty, till the exchanging of the Ratifications.

LXXIX. This said Treaty shall be made publick in all Places where it may seem convenient, as soon as the said Ratifications are exchange'd, and from that time all Hostilities shall cease.

*The Separate Article concerning
Commerce.*

The Subjects of the United Provinces shall be permitted to Trade freely and safely in all Countries with which they are in Amity, and shall not be molested on Account of any Enmity there is or may be between the King of *Spain* and those Countries; but it shall not be lawful for them to supply the said King's Enemies with prohibited Goods; for preventing whereof, they shall be oblig'd when departing the King's Ports, to give an exact Account of their Lading, after which they shall not be search'd or detain'd. If they
only

only come to an Anchor, without breaking Bulk, they shall not be oblig'd to give an Account of their Lading, provided the States strictly forbid them supplying the King's Enemies with any prohibited Goods.

And in case any prohibited Goods be found aboard, only the said Goods shall be seiz'd, without detaining the rest, or the Ships on that Account.

The same liberty is understood to be allow'd to the King's Subjects.

This Article shall be observ'd and ratify'd in the same manner as the Treaty, within two Months, or as soon as possible. Concluded and Sign'd by the Plenipotentiaries of the said King and States, at *Munster*, February 4. 1648.

This is the famous Treaty, which finally discharg'd the United Provinces from their subjection to *Spain*, and consequently proper to be known, for the better understanding how long that Republick has been a Free State, and upon what Terms that liberty was obtain'd. They Revolted in the Year 1566, King *Philip II.* then Reigning in *Spain*; against whom, and his Successors, they maintain'd a War Eighty Two Years, bating the twelve Years Truce, which was some time

time before the above-mention'd Treaty. It is not to be suppos'd they could of themselves withstand the Power of *Spain*; the Empire, *France* and *England*, largely contributed to their Support, if not all at once, yet in their turns. What Advantage those Princes have reap'd by it, shall be left to every one to judge; but the Consequences of this Treaty, which is the Subject matter in hand, were the erecting of Seven Provinces, before an inconsiderable Part of the Dominions of a mighty Monarch, into a Sovereign Independent State, which has since cop'd with the most potent Princes, and even at that moment of it's Establishment, set it self on the same Foot with *England* as to point of Trade, as has been shown in the 17th Article of the Treaty. Nay, they prescrib'd Laws to him that had been once their King; for in the Seventy Nine Articles, there is not one but what was directly Calculated for their Benefit, and which carries with it the utmost Condescension on his side. Here let us leave them, and return to *Westphalia* and the Negotiations there, where the next Treaty we find contains,

all the Articles of the Treaty of Commerce and Consular Privileges between the King of Great Britain and the King of Prussia.

Articles of Peace between their Imperial and Swedish Majesties, Ferdinand III. Emperor Elect, &c. and Christina, Queen of Sweden, &c. Agreed on, Sign'd and Seal'd at Osnabrug, on the 24th of Oct. 1648.

I. **T**hat there be a true Christian, universal and perpetual Peace, and sincere Amity between the said Emperor and Queen, and their Confederates on both sides.

II. That there be a perpetual Amnesty on both sides, To that nothing done during the War be ever call'd in Question again.

III. All Persons whatsoever shall be restor'd to the Estates taken from them on Account of the Troubles in *Bohemia* and *Germany*; saving all Rights of Sovereignty, or belonging to any third Person depending in the Imperial Courts.

IV. The Elector of *Bavaria* shall remain possess'd of the Electoral Dignity formerly belonging to the Electors *Palatine*, with all it's Preheminences, &c. as also of the upper *Palatinate* and the County of *Cham*, with

with all their Dependences. The said Elector of *Bavaria* shall renounce all Claim to the Debt of Thirteen Millions, and all his Pretensions to the Upper *Austria*. An Eighth Electorate shall be erected, to be enjoy'd by the Count *Palatine*, his Heirs and Successors of the *Rodolphin* Line, together with all the Lower *Palatinate*. And in Case the *Wilhelmine* Line, should happen to be Extinct, and the *Rodolphin* survive, then the Upper *Palatinate* and the Electorate annex'd to it, to return to the *Palatine*, and the Eight Electorate to be suppress'd. The Emperor to allow Pensions to the *Palatine's* Brothers, and grant an Amnesty to all that have serv'd him; and on the other Hand, the said *Palatine* and his Brothers, shall submit themselves to the Emperor, and renounce all Claim to the Upper *Palatinate*. The other Princes of the *Palatine* Line, shall be restor'd to their Estates.

The following part of this Article omitted, is only Repetitions of particular Persons included in the General *Amnesty*, and of the Restitution to be made of their Estates, Honours, &c.

V. For redress of the Grievances which occasion'd the War, it is agreed, That the Negotiation in the Year 1552 at *Passau*, and the Peace of Religion which ensu'd in

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in 1555, be inviolably observ'd, as it was confirm'd at *Ausburg* in the Year 1566, with such particular Explanations as have been here made by consent of both Sides, notwithstanding any Opposition, or Contradiction from any State, either Ecclesiastical, or Civil.

The Time from which Restitutions in Matters Ecclesiastical, and the Civil on them depending, shall be made, to be from the first of *January*, 1624, and all things to be restor'd to the Condition they were then in. Then follows a long Deduction of the manner of choosing Magistrates in several Places, some half *Catholick*, the other half *Lutheran*, and others *Alternative*.

If any *Catholick* Bishop, Prelate, &c. change his Religion, he shall immediately Forfeit his Dignity and Revenue. The Right of Elections to Church Livings, to remain as formerly without Alteration. Those who shall be presented to Ecclesiastical Dignities, belonging to the *Ausburg* Confession, shall be invested by his Imperial Majesty without any Exception. There shall for ever continue, as many, either *Catholick*, or *Lutheran* Prebends, or Canons, &c. in every Place, as there were on the first of *January*, 1624. The *Lutherans* to remain possess'd of all Ecclesiastical Revenues Secularised, and the *Catholicks*
of

of all that were in their Possession the Year and Day aforeſaid. The Free Towns and Nobility of the Empire, to have the Direction in Point of Religion, in their own Liberties. The Free Exerciſe of their Religion granted to *Catholicks* under *Lutheran* Governours, and *Vice Verſa*.

Liberty of Conſcience to be allow'd to thoſe of the *Ausburg* Confeſſion in *Sileſia*, and that they may Build Churches at their own Coſt. The Magiſtrates of both Religions in all Places ſhall ſeverely reſtrain Preaching, Writing, or Arguing againſt the Pacification of *Paſſau*, and this preſent Accommodation.

VI. The *Swiſs* Cantons having been declar'd almoſt exempt from the Empire, and conſequently not ſubject to it's Courts, the ſame is confirm'd by this Treaty.

VII. The ſame Liberty which is granted to *Catholicks* and *Lutherans*, ſhall alſo be allow'd to thoſe who call themſelves Reform'd, ſaving all the Agreements made by thoſe who are call'd Proteſtants, among themſelves. And forasmuch as the Proteſtants are not yet agreed among themſelves, it is now concerted among them, that if any Prince, or Lord of Land, embrace the Religion of the other Party, he may keep Preachers for himſelf in his Court; but it ſhall not be permitted him to make any Innovation among his Subjects.

VIII. That all Electors, Princes, States, &c. be hereby so settled and confirm'd, in their Rights, Liberties, &c. that there be no disturbing them therein for the Future, on any Pretence whatsoever.

IX. That all Duties, Tols, Exactions, &c. of late Years brought up, to the Obstructing of Trade and Commerce, be suppress'd, and only such continu'd as are establish'd by ancient Custom, and the Laws of the Empire.

X. By way of Satisfaction to the Crown of Sweden for those Places it is possess'd of as Conquest, and does consent to restore, the Empire yields up to it for ever, the hither *Pomerania*, commonly call'd *Vor-Pomeren*, with the Island of *Rugen*, in all its Extent, as possess'd by the last Dukes of *Pomerania*; and in the farther *Pomerania*, the Towns of *Stein*, *Gartz*, *Dam*, *Golnau* and the Isle of *Wolin*, with the River *Oder* and the Arm of the Sea, vulgarly call'd *Frischaff*; also the three Mouths of the *Peine*, the *Swine* and the *Dievenow*, with the Land on both sides, from the Bounds of the Royal Territory to the *Baltick Sea*, for such a Breadth on the East-shore, as shall be amicably agreed on, with all the Rights and Dependences, &c. thereunto belonging.

The Kings of Sweden and Electors of Brandenburg, shall indifferently use the Title and Arms of *Pomerania*; the said Kings for

for ever, the Electors as long as there shall be Heirs Male of this Family, after which the Title and all the rest of *Pomerania*, shall devolve to the Crown of *Sweden*.

The Emperor farther yields up to the Crown of *Sweden*, as a perpetual Fief the Town and Port of *Wismar*, with the Fort of *Walfisch*, the Bayliwicks of *Poel* and *Newencloster*, the Archbishoprick of *Bremen*, and Bishoprick of *Werden*, with the Town and Bayliwick of *Wilbusen*, saving to the City of *Bremen* it's Immunities.

In consideration of these Fiefs, the Kings of *Sweden* shall be look'd upon as Princes of the Empire, and have their Place and Vote in Diets accordingly; and the said Kings of *Sweden*, shall hold the said Fiefs of the Empire, and receive the Investitures of Course, taking the usual Oath.

XI. As an equivalent to the Elector of *Brandenburg*, for yielding up the aforesaid Dominions to *Sweden*, there shall be granted to him and his Heirs for ever, as a perpetual Fief, the Bishoprick of *Halberstat*, with all it's Rights, &c. as also the Bishoprick of *Minden*, that of *Camin*, and the Reversion of the Archbishoprick of *Magdeburg*.

But the 4 Bayliwicks of *Querfert*, *Guterbock*, *Dam* and *Bork*, being already granted to the Elector of *Saxony*, shall remain

to him. Her Swedish Majesty shall also restore to the Elector of *Brandenburg*, the remainder of the farther *Pomerania*, the City of *Colberg*, with the Bishoprick of *Camin*; all Places now Garrison'd by the *Swedes* in the Territory of *Brandenburg*, and all the Commendaries and Lands, belonging to the Knights of *Malta*, which are without the Territories, yielded up to Her Majesty.

XII. The Duke of *Mechlenburg Schuerin* being depriv'd of the Town and Port of *Wismar*, it is agreed, he shall have as a perpetual Fief, the Bishopricks of *Schuerin* and *Ratzeberg*, with all their Rights, &c.

XIII. The Ducal House of *Brunswick* and *Lunenbourg*, having for facilitating of the Peace, yielded up the Coadjutorship it had of the Archbishopricks of *Magdeburg* and *Bremen*, and of the Bishopricks of *Halberstat* and *Ratzeburg*, on Condition they should have the Alternative Succession with the Catholics in the Bishoprick of *Osnabruck*, the same Alternative is granted them.

XIV. In Lieu of the 12000 Rixdollars to be paid Yearly to the Marquis *Christian William* of *Brandenburg* by the Archbishoprick of *Magdeburg*, it is agreed, That the Monasteries and Bayliwicks of *Zina* and *Lobourg*

Lobourg be immediately yielded up to him, with all their Appurtenances, &c.

XV. The House of *Hesse Cassel*, all it's Subjects, &c. shall fully partake of the Amnesty, and remain possess'd of the Abby of *Hirsfeld*, and the Bayliwicks of *Scaumburg*, *Bucyemburg*, *Saxenhagen*, and *Statthagen*; and on Account of restoring the Places possess'd, during this War, there shall be paid to Madam the Landgravine of *Hesse*, or her Sons, or Successors, by the Archbishopricks of *Mentz* and *Cologne*, the Bishopricks of *Paderborn* and *Munster*, and the Abby of *Fulda*, 600000 Rixdollars, within Nine Months after the Ratification of the Peace.

XVI. Immediately upon the signing of the Treaty of Peace by the Plenipotentiaries, all Acts of Hostility shall cease, and what has been agreed on, shall be put in execution on both Sides. All Prisoners of War shall be set at Liberty.

In fine, towards disbanding of the *Swe-Disch* Forces, all the Electors, Princes, States, and immediate Nobility of the Empire, shall be oblig'd to contribute towards the sum of Five Millions of Rixdollars, at three Payments.

Restitution being made, pursuant to the articles of the Amnesty and Grievances, the Prisoners released, the Ratifications exchanged,

chang'd, and the the first Payment made, all the Garrisons belonging to the Emperor and his Allies, and to the Queen of *Sweden* and Hers, shall march out at the same time, from all Places which are to be restor'd; and all the Troops on both Sides disbanded.

XVII. The Embassadors and Plenipotentiaries of their Imperial and *Swedish* Majesties, and of the Princes and States of the Empire, do promise, That the Ratifications of this Treaty. shall be return'd to *Osnabruck*, and exchange'd within Eight Weeks after the signing. That this Treaty shall remain a perpetual Law of the Empire, as firm as any other Fundamental Law. That whosoever shall obstruct or infringe any part of it, shall *ipso facto* incur the Penalty due to the Breakers of Peace. That all Persons concern'd in this Negotiation, shall be oblig'd to maintain every Part of it. That the better to secure the publick Peace, the Circles be restor'd to the Condition they ought to be in, and when any Appearance of new Troubles shall happen, those Methods be observ'd which are appointed by the Constitutions of the Empire, for the Execution and Preservation of the Publick Peace.

There follows a long Scroul of the Name of all Princes and States included in the Peace on both Sides, and a longer, of the Names of the Plenipotentiaries of all Parties present at the Treaty. *Article*

Articles of Peace between the Empire and France, Sign'd and Seal'd at Munster in Westphalia, October the 24th, 1648. By the Plenipotentiaries of their Imperial and most Christian Majesties, and those of the Electors, Princes, and States of the Sacred Roman Empire.

I. **T**hat there be a Christian, universal and perpetual Peace, and sincere Amity between their Imperial and most Christian Majesties, their Allies on both sides, &c.

II. That there be a perpetual Amnesty on both sides, of all that has been done, during the late Troubles.

III. That neither side shall assist or support the Enemies of the other, on any colour or Pretence whatsoever.

IV. That the Circle of *Burgundy* remain a Member of the Empire, after adjusting the differences between *France* and *Spain*; but in the mean while it shall not be lawful for the Emperor, or Empire, to interfere in the War made there.

V. That the Differences concerning *Lorrain* be amicably adjusted, without force of Arms on either side.

VI. That pursuant to the Amnesty, all Persons be restor'd to the Honours and Estates taken from them during the War, some of the greatest Moment whereof are thought fit to be here particulariz'd, yet so as those which are not mention'd shall not be thereby look'd upon as excluded.

VII. That the Elector of *Treves* be restor'd to all his Patrimonial and Electoral Possessions.

VIII. That the Elector *Palatine* be restor'd according to the Agreement made in the Treaty of *Osnabruck*. (See the 4th. Article of that Treaty.)

IX. The Difference between the Bishops of *Bamberg* and *Wirtzburg*, and the Marquises of *Brandenburg*, *Culmbach* and *Onoltzback*, concerning the Town, Monastery and Castle of *Kitzingen* in *Franconia* shall be amicably adjusted; or determin'd by due course of Law, within two Years.

X. The 14th Article of the Treaty of *Osnabruck*, relating to *Christian William*, Marquis of *Brandenburg* is here repeated.

XI. His most Christian Majesty shall restore to the Duke of *Wirtemberg* the Towns and Fortresses of *Hohenwell*, *Schorendorf*, *Tubingen* and all other Places he

is possess'd of in the Dutchy of *Wirtemberg*.

XII. The Princes of *Wirtemberg* of the Branch of *Montbeliard*, shall be restor'd to all their Lands in *Alsace*, *Burgundy*, or elsewhere.

XIII. That *Frederick*, Marquiss of *Baden* and *Hockberg*, his Children, and all others that have or do serve him, do enjoy the Amnesty above-mention'd, and be entirely restor'd to the lower Marquisate of *Baden*, commonly call'd *Baden Dourlach*, that of *Hockberg*, and the Lordships of *Rottelen*, *Badenicer*, and *Sansenberg*; as also to the Bailiwicks of *Stein* and *Rhenchingen*.

XIV. That the yearly Pension the lower Marquisate us'd to pay the upper, be entirely suppress'd, never more to be demanded.

XV. That for the future the Point of Precedence in all Places be alternative between the two Branches of *Baden*; but that the present Marquis *Frederick* enjoy it during his Life.

XVI. As for the Barony of *Hohengeroltzegl*, it is agreed, that if the Princess of *Baden* can make out her Claim, it shall be restor'd to her, and the matter decided within two Years after the Publication of the Peace.

XVII.

XVII. All Restitutions mention'd in the Treaty of *Osnabruck*, shall be look'd upon as if they had been here inserted Word for Word.

XVIII. All Contracts, Obligations, &c. extorted by force during the War, shall be look'd upon as void.

XIX. Judgments pronounc'd during the War in secular Affairs, shall not be absolutely accounted void, unless there manifestly appears to have been some fault in them.

XX. If any Fiefs have not been renew'd since the Year 1618, that shall not prejudice any Person; but it shall be free to demand them from the Day the Peace is concluded.

XXI. In fine that all Persons of what Degree or Quality soever, shall be restor'd on both sides, to their Honours, Estates, Liberties, &c. But as for their Estates, if they were confiscated before they went over to the *French* or *Suedes*, they shall so continue lost to them, and possess'd by those who have them; but those Estates which have been confiscated since their joining with *France* or *Sweden*, shall be restor'd in the Condition they now are, without accounting for what is past.

XXII.

XXII. From this general Restitution are excepted those things which cannot be restor'd, as the Revenues receiv'd, Moveables, publick and private Structures destroy'd or converted to other Uses, &c.

And forasmuch as the Succession of *Fu-liers* might occasion great Troubles in the Empire, if not prevented; it is resolv'd, that shall be either speedily decided before the Emperor, or amicably adjusted.

XXIII. What has been agreed on concerning Religion between the Emperor and Queen of *Sweden*, is here also confirm'd.

XXIV. Touching the House of *Hesse Cassel*, the same is here agreed as specify'd in the 15th Article of the Treaty of *Osnabruck*.

XXV. As to the *Swiss Cantons*, the same as in the 6th Article of the above Treaty.

XXVI. For preventing of Differences in the Empire, the Electors, Princes and States shall be so establish'd in their Rights, Liberties, &c. that it may not be ever after molested, under any Pretence whatsoever.

XXVII. They shall without Opposition enjoy the Right of voting in Affairs relating to the Empire, and particularly as to the Laws, Peace and War, Taxes, Levies, Quartering of Soldiers, raising of
new

new Fortresses, &c. that no such thing be done without the free Consent of all the States of the Empire. And that every particular State of the Empire for ever fully enjoy the liberty of making Alliances among themselves, and with Strangers, for their own security ; provided those Alliances be not against the Emperor or Empire, the publick Peace, and principally against this Treaty.

XXVIII. That the States of the Empire do meet within six Months after the Ratification of the Peace, and as often afterwards as the publick Good shall require.

XXIX. That the Free Cities of the Empire have a decisive Voice in the General and particular Diets of the Empire, and enjoy all their ancient Priviledges, &c.

XXX. That care be taken in the Diet for the Relief of Debtors ruin'd by the Calamities of the War.

XXXI. That for the restoring of Commerce all new and illegal Duties and Impositions, and all Exactions in Postage be utterly abolished.

XXXII. The Duties, Tols, &c. granted by the Emperor, with the Consent of the Electors, and of Ancient Usage, shall remain, and there shall be entire Liberty of

of Trading, and passing both by Land and Water, in all Places whatsoever.

XXXIII. To the end the aforesaid Peace and Amity between the Emperor and his most Christian Majesty may be the more settled, and the publick Safety provided for, it is agreed with the Advice and Consent of the Electors, Princes and States of the Empire,

That the entire Sovereignty, and all other Rights over the Bishopricks of *Metz*, *Toul* and *Verdun*, all Towns of the same Name, and the whole Extent of those Bishopricks, and of *Moyenvick* by Name, do for the future belong to the Crown of *France*, and be irrevocably for ever incorporated in it, as before it was in the Empire; saving the Metropolitan Right which belongs to the Archbishoprick of *Treves*.

XXXIV. That Duke *Francis* of *Lorain* be restor'd to the Possession of the Bishoprick of *Verdun*, as its lawful Bishop, &c.

XXXV. The Emperor and Empire yield up to his Most Christian Majesty and his Successors, all the Right of Sovereignty that does or may have belong'd to the said Emperor and Empire over *Pignerol*.

XXXVI. The Emperor for himself and the House of *Austria*, and the Empire do yield up all the Right, Property, Possession, Jurisdiction, &c. that he and the Empire

pire have hitherto had to the Town of *Brisack*, the Upper and Lower *Alsace*, *Suntgau*, and the Provincial Prefecture of the Ten Imperial Cities in *Alsace*, viz. *Haguenau*, *Colmar*, *Scheßadt*, *Weissemburg*, *Landau*, *Oberenhaim*, *Rosheim*, *Munster* in the Vale of *St. Gregory*, *Kaisersberg* and *Turingheim*, with all the Villages and Dependences, which are transferr'd to the Crown of *France*; so that the Town of *Brisack*, with all its Territory, shall for the future belong to the said Crown, saving always the Priviledges granted to the said Town by the House of *Austria*. So also the Landgraviate of both *Alsaces* and *Suntgau*, and the Prefecture of the aforesaid 10 Cities, with all things to them appertaining, shall for ever be Incorporated in the Crown of *France*, so as no Emperor, nor the Empire, or House of *Austria* shall ever pretend any Right to them. But the most Christian King shall be oblig'd in all those Places to maintain the Catholick Religion, and to banish thence all Innovation brought in during the War.

XXXVII. The Kings of *France* shall have a perpetual Right to keep a Garrison in *Philipsburg*, limited to such a number of Soldiers, as may give no Jealousy to it's Neighbours, and shall have free
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Passage allow'd him thither through the Empire. But the said King shall only have the Protection of that Place; the Property, Profits, &c. remaining to the Bishops of *Spire*.

XXXVIII. The Emperor, Empire and Archduke of *Inspruck*, *Ferdinand Charles* do discharge the Officers, Magistrates and Subjects of those Places of all Engagements and Oaths, by which they were bound to them and to the House of *Austria*, and subject them entirely to the Crown of *France*; and to this Purpose they derogate and make void all Decrees, Constitutions, Statutes and Customs of the Emperors, their Predecessors, and the Empire, to the contrary.

XXXIX. The Alienation of the aforesaid Lordships, shall, besides the Ratification here promis'd by the Emperor and States of the Empire, be again Ratified in the next Diet; so that they may never again lay any Claim to them.

XL. All the Fortifications of *Benfeld*, *Rhinaw*, *Saverne* in *Alsace*, *Hohenbar* and *Newburg* on the *Rhine* shall be demolish'd, and no Garrisons kept there.

XLI. The Town of *Saverne* shall observe an exact Neutrality, and the King's Troops shall be permitted to pass undisturb'd, as often as requir'd.

XLII.

XLII. No Forts shall be rais'd on the Banks of the *Rhine*, from *Basle* to *Philipsburg*, nor the Course of the River stopp'd or diverted on either side.

XLIII. The Archduke *Ferdinand* shall pay one third of the Debts lying on the Chamber of *Eiſſſheim*, in consideration of that Part of the Province the most Christian King is to restore him.

XLIV. The Debts charg'd on the Colleges of the States, shall be conveniently distributed between those which are put under the Dominion of the King, and those which remain to the House of *Austria*.

XLV. The most Christian King shall restore to the House of *Austria*, the four Forest Towns of *Rhinfeld*, *Seckingen*, *Lauſſenburg*, and *Waldſhut*, with all their Dependences; also the County of *Hanſtein*, the *Black Forest*, the upper and lower *Brifgaw*, with the Towns therein anciently belonging to the House of *Austria*, viz. *Neuburg*, *Freyburg*, *Edingen*, *Kenſingen*, *Waltrich*, *Willengen*, and *Breunlingen*, with all their Territories, &c. likewise all *Orſenaw*, with the Imperial Towns of *Offenburg*, *Gengemback* and *Zell*, or the *Hamerſpach*, to which he shall never pretend any Right or Title

XLVI. The Passage on the *Rhine*, and both sides of it shall be free, and no Boats stop'd

stop'd on any Pretence whatsoever, except only to inspect their Lading as usual, and no new Impositions exacted

XLVII. All Persons on both Sides the *Rhine*, whose Estates have been confiscated shall be restor'd. But there shall be no Restitution of Moveables.

XLVIII. His most Christian Majesty shall be oblig'd to leave all the Places above-mention'd, which are yielded up to him, as well as the Bishopricks of *Strasburg* and *Basle*, in that degree they enjoy'd under the *Roman* Empire, without pretending to Royal Authority over them; but that he be content with the Rights that belong'd to the House of *Austria*; yet so as this Declaration shall derogate nothing of the Right of Sovereignty above granted.

XLIX. The most Christian King, in Consideration of what is here granted him, shall pay to the aforesaid Archduke *Ferdinand Charles*, three Millions of Livres in the three following Years, 1649, 1650, and 1651.

L. His most Christian Majesty shall answer two thirds of the Debts charg'd on the Chamber of *Ensisheim*.

LI. The said King shall restore to the said Archduke all Records, Papers, &c. concerning the Lands to be restor'd to him.

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LII.

LII. To prevent reviving the Differences between the Dukes of *Savoy* and *Mantua* about the *Montferrat*, it is agreed that the Treaty of *Querasque*, of the 6th of *Avril*, 1631, shall stand good for ever ; excepting *Pignerol* yielded up to the Crown of *France*.

LIII. His most Christian Majesty, for obviating all farther Differences between the aforesaid two Dukes, shall pay to the Duke of *Mantua* 494000 Crowns, the most Christian King *Lewis XIII* of glorious Memory, had engag'd the Duke of *Savoy* should pay to the said Duke.

LIV. His Imperial Majesty shall grant to the Duke of *Savoy* the Investiture of the Fiefs and States granted to Duke *Victor Amadeus*, by the Emperor *Ferdinand II*.

LV. The Duke of *Savoy*, nor his Successors shall not be disturb'd in the Right of Sovereignty they have over the Fiefs of *Rocheveran*, *Olmo* and *Cesoles*.

LVI. The Emperor shall restore to the Counts *Clement* and *John* and the Sons of *Octavian*, the entire Fief of *Roche d'Arazzy*.

LVII. The Emperor shall declare the Castles of *Reggiolo* and *Luzzara*, which the Duke of *Gustalla* pretends to, to be comprehended in the Investiture of *Mantua*; saving to the Duke of *Gustalla* the Right he claims to 6000 Crowns a Year, for which

which he may sue the Duke of *Mantua* in his Imperial Majesty's Court.

LVIII. As soon as this Treaty is sign'd, all the Hostilities shall cease, and all that has been agreed on shall be put in Execution.

LIX. The Plenipotentiaries on both sides shall agree on the time of signing and Ratifying the Peace; the manner, time and security for evacuating of Places, and the Disbanding of Forces.

LX. The Emperor shall give Orders throughout the Empire for the executing of all that is agreed on, without any Demur; and all that are oblig'd to any Restitution shall be oblig'd to perform it immediately.

LXI. All Prisoners, on both sides, of what Degree or Quality soever shall be released.

LXII. Restitution being made, according to the Articles of the Amnesty and Grievances, the Prisoners set at liberty, and the Ratifications exchange'd, all the Garrisons of their Imperial and most Christian Majesties and their Allies, or of any others whatsoever, shall immediately be withdrawn from the Towns of the Empire and all other Places that are to be restor'd.

LXIII. All Records, Papers, Moveables, and Cannon, that were in the Places when taken shall also be restor'd; but it shall be lawful to carry away whatsoever has since been carry'd in for the Service of the Garrisons.

LXIV. When the Garrisons march out, the Inhabitants of each Place shall be oblig'd to furnish them with Carts, Horses, Boats, and the necessary Provisions, Gratis; all which Carts, Horses and Boats, the Commanders of the said Garrisons are to see justly restor'd. And this is to be observ'd from one Place to another, &c.

LXV. The Places restor'd, shall ever after remain free from Garrisons, and at the Disposal of the Owners.

LXVI. That the Armies on both sides be Disbanded; each of them only marching such a number of Troops home as shall be necessary for their own Security.

LXVII. The Plenipotentiaries do promise to have this Peace ratify'd by their Sovereigns within the term of two Months.

LXVIII. For the more Validity of all these Articles, this Treaty shall be henceforth look'd upon as a perpetual Law of the Empire, equal with the other Fundamentals, and inserted in the Imperial Capitulation; never to be controverted on any Pretence whatsoever.

LXIX.

LXIX. All Persons whatsoever who shall intringe any of these Articles, to incur the Penalties due to such as break the Publick Peace. and be oblig'd to make Reparation for the Injury done.

LXX. All Persons concern'd in this Treaty shall be oblig'd to maintain every Part of it against any of what Religion soever. And if any Incroachment be made, the Party aggriev'd shall endeavour to get right in a friendly or legal manner, which if not to be obtain'd in three Years, then all those concern'd in this Treaty shall join the Party that is wrong'd for the obtaining a just Satisfaction.

LXXI. The Circles of the Empire shall be restor'd to the Condition they ought to be in.

LXXII. Whosoever shall march Troops through the Territories of another, shall defray the whole Expence, without suffering any Damage to be done on the Lands they pass through.

LXXIII. All Princes, and States nam'd by either side within six Months after the Ratification of this Treaty, may be included in it, and particularly the Republick of *Venice* is hereby included as Mediatix of this Treaty; neither shall it ever be prejudicial to the Dukes of *Savoy* and *Modena*, under Colour of the War they

have been, or are still engaged in for the most Christian King, in *Italy*.

Done and concluded at Munster in Westphalia, on the 24th of October 1648.

Thus was the greater Part of *Europe* restor'd to Peace by these three celebrated *Westphalian* Treaties, the first between *Spain* and *Holland*, by which the latter was acknowledged a Free State, as has been observ'd above. The second between the Emperor and the Crown of *Sweden*, with the Allies on both sides, and the third between the Emperor and King of *France*, with their Confederates; by which the Tranquility of *Germany* was restor'd, after a destructive War of many Years, which had carry'd Desolation throughout the whole Empire, and now ended with considerable Advantage to *France*, *Sweden* and *Bavaria*, the three greatest Gainers by that Treaty, tho' the Sufferers were many. The Emperor 'tis true recover'd his Kingdom of *Bohemia* and other Provinces, which had Revolted, but that was no more than he had before, and at the same time he lost much of that absolute Authority he had pretended to, and was forc'd to submit to the Dismembering of those Parts of the Empire, which were yielded up to *France* and *Sweden*, and the

the suppressing of several Bishopricks, till then distinct States of the Empire, to satisfy the other Princes whose Dominions were otherwise dispos'd of.

The Duke of *Bavaria* gain'd all the upper *Palatinate*, and was rais'd to the Dignity of Elector; both which the *Palatine* had forfeited by aspiring to the Crown of *Bohemia*.

The Dominions of *Sweden* were enlarg'd by the Accession of *Pomerania*, the Isle of *Rugen*, the Town of *Wismar*, the Fort of *Walsfel*, the Bailiwicks of *Poel*, *Newencloster* and *Wilsbusen*, the Archbishoprick of *Bremen*, and the Bishoprick of *Werden*.

To the Crown of *France* were added the three Bishopricks of *Metz*, *Toul* and *Verdun* in *Lorain*, the Town of *Pignero!* in *Piedmont*, the Town of *Brisac*, all the upper and lower *Alsace* and *Suntgau*, and the Right of keeping a Garrison in *Philipsburg*.

By this Peace of *Westphalia*, *Spain* had got rid of one troublesome Enemy, which was *Holland*, giving over its Right to that Country for ever, and *France* had concluded the War with the Emperor, with the Acquisition of all the Places above-mention'd. So different was the Success of those two Nations, the former yield-

ing up its own to purchase a Peace, the latter, being prevail'd upon to accept of the same, by a mighty addition of Power. But still the War which had broke out several Years before, was carry'd on between these two Nations. *Spain*, notwithstanding the Sacrifice made of *Holland*, was torn in Pieces by the Rebellions in *Portugal* and *Catalonia*, and *France* had suffered no less by the Civil War the Prince of *Conde* and other great ones had rais'd, as if Providence had decreed no part should be exempt from the Confusions of that time; *England* being then as deeply engag'd in Rebellion, and even the very *Turks* having depos'd their Sovereign. Amidst all these universal Distractions, in 1643, the *French* defeated the *Spanish* Army in the *Low-Countries* at *Rocroy*, and immediately after took *Thionville*. The next Year they possess'd themselves of *Graveling*; in 1645 of *Roses* in *Catalonia*, and after defeating the *Spanish* Army there of *Baligner*; in 1646 of *Courtray*, *Bergues*, *Mardike* and *Dunkirk* in the *Low-Countries*, and of *Piombino* and *Portolongone* in *Italy*; in 1648, of *Tortosa* in *Catalonia*, and defeated the *Spanish* Army in *Flanders*; in 1649 of *Conde* and *Maubeuge*; in 1655 of *Landrecy*, *St. Guislain*, and *Conde* again, which had been abandon'd

don'd before ; in 1656 of *la Chapelle* ; in 1657 of *Montmeay* and *St. Venant* ; in 1658 of *Dunkirk* the Second time, of *Tpres*, and several Places of less Note, after defeating the *Spanish* Army.

This had been the Progress of the Arms of *France* in general against *Spain*, during which time, in 1656, the *Sieur de Lionne* had been at *Madrid* in order to set on foot a Treaty of Peace, which had then no effect, because the King of *France*, insisted on having the Match between himself and the *Infanta* of *Spain*, to be establish'd as the first Article, which the *Spaniards* were utterly averse to, because she was then the Presumptive Heir. The Queen of *Spain* being brought to Bed of a Prince in the Year 1657, and proving with Child again in 1658, *Don Antonio Pimentel* went incognito to *Lyons*, where the most Christian King then was, in order to Marry the Princess *Margaret* of *Savoy*, and assur'd Cardinal *Mazarine* that the King his Master did consent to the Marriage of the *Infanta*, and would sign the Articles of Peace before agreed on at *Madrid*. *Pimentel's* Proposal was admitted, and a Suspension of Arms agreed on. In 1659, Cardinal *Mazarine* repa'r'd to *St. John de Luz*, and *Don Lewis de Hero*, Prime Minister of *Spain* to

to St. *Sebastian*. These two great Ministers had several Conferences on the Island of *Pheasants*, which is in the midst of the River *Bidassoa*, that parts *France* and *Spain*. There they concluded that which has ever since been known by the Name of the *Pyrenean* Treaty, and the Contract of Marriage between *Lewis* the XIV. King of *France*, and the Lady *Mary Teresa*, Infanta of *Spain*, which here follow.

Articles of Peace between France and Spain, Sign'd and Seal'd in the Island of Pheasants, in the River of Bidassoa, on the Confines of both those Kingdoms, November the 7th, 1659. By his Eminency Cardinal Mazarine, and his Excellency Don Lewis Mendez de Haro, Plenipotentiaries of their Most Christian and Catholick Majesties.

I. **I**T is concluded and agreed, That there shall be for the future a good, firm and lasting Peace, Alliance, and Amity,

ty, between the most Christian and Catholick Kings, their Heirs and Successors, Dominions, Subjects, &c.

II. That the Cessation of all manner of Hostility concluded the 8th of *May* this present Year shall continue, and if any thing be acted to the contrary, due Reparation shall be made.

III. That if any Breach should happen between any Allies of the two Kings, neither of them shall engage in the Quarrel, till after Endeavours us'd for an Accommodation; which not succeeding, each King shall be free to support his Ally, without any Breach of this Treaty. And if either of the said Kings shall assault an Ally of the other, it shall be lawful for him to support such his Ally with Auxiliary Forces; but if either of the Kings be assaulted by any Prince or State whatsoever, the other shall not any way assist the said Prince or State, with Men, Money, or Victuals, nor with Passage through his Dominions; much less shall either of them any way support the Subjects of the other that Revolt.

IV. All that has been done during the War, shall be bury'd in perpetual Oblivion.

V. The Subjects of both sides shall have liberty to go to and fro, and to dwell and Trade together,

together, and be protected in the Countries of the other.

VI. The Subjects of *France* shall enjoy the same Liberties, &c. in all the Dominions of *Spain* as have been granted to the *English*.

VII. The *French* that shall Ship any prohibited Goods, to suffer no other Penalty than what is practis'd towards the *English* or *Dutch*. And the Catholick King's Subjects to enjoy the same Privileges in the Dominions of *France*.

VIII. The Subjects of *France* shall be allow'd to export from the Dominions of *Spain* the produce of the Sale of Corn made in those Countries, as before the War, and the Catholick Kings Subjects shall enjoy the same in *France*.

IX. No Seizures shall be made of Ships or Goods, Merchants or Mariners, on any Pretence whatsoever ; unless in the common course of Law, on Account of Debts, Contracts, &c.

X. The *French* shall have liberty to Trade to all Parts whatsoever, though they should be in War with his Catholick Majesty ; excepting to *Portugal*, whilst it continues in the Condition it is now in.

XI. All Merchandize may be transported to other Countries in War with *Spain*,

as was allow'd before the said War; excepting such as may be serviceable against the Catholick King, or his Dominions, and Contraband Goods.

XII. By Contraband Goods, are understood, all sorts of Arms, and War-like Furniture.

XIII. Corn, and all manner of Provisions, shall be reputed Contraband, but may be carry'd to Places in War with *Spain*, except *Portugal*.

XIV, XV, XVI. The *French* Vessels passing from the Ports of *Spain* to any part in Enmity with that Crown, shall not be any way retarded or molested, after producing their Passes, specifying their Lading.

XVII. If *French* Ships be met at Sea by Men of War, or Privateers, they shall not come nearer to them than Cannon shot, and send only two or three Men Aboard to see their Passes, unto which entire Credit shall be given.

XVIII. If there be found, aboard the said *French* Ships any prohibited, or contraband Goods, the same shall be unladed and confiscated, yet neither the Vessel, nor any other Goods, or Merchandise in them shall be forfeited.

XIX. Whatsoever shall be found Laden by the Subjects of *France*, Aboard the
Ships

Ships belonging to the Enemies of his Catholick Majesty, shall be confiscated, tho' it be not contraband; but on the other Hand, whatsoever shall be found in the Ships of the most Christian King's Subjects, shall be free, tho' any part of it should belong to the Enemies of the Catholick King, contraband Goods excepted.

XX. All the said Priviledges shall be equally enjoy'd, by the Subjects of his Catholick Majesty, in respect to *France*.

XXI. If any Contravention should happen, as to these Articles of Commerce, upon Complaint, immediate Reparation shall be made.

XXII. and XXIII. Goods arrested in both Kingdoms, at the time of the Declaration of the War, to be restor'd, if in being.

XXIV. If any Breach shall again happen, between the two Crowns, six months time shall be allow'd on both Sides, for the Subjects of the other to withdraw themselves, and their Effects.

XXV. The Subjects of either Side, may make use of such Lawyers, &c. as they shall think fit, and may keep their Books of Correspondence in what Language they please.

XXVI. Both Kings may appoint Consuls

suls, for the Conveniency of Trade, in such Places as shall be thought necessary, and they to enjoy the former Priviledges, &c.

XXVII. All Letters of Mart and Reprisal already granted, to be suspended, and none to be granted for the future.

XXVIII, XXIX, XXX. All the Subjects on both Sides, who have serv'd the contrary Party, to be restor'd to their Honours and Estates, but not to the Profits and Revenues, since the Siezures made till the Publication of this Treaty; nor to the Debts, Goods and Moveables, confiscated before the said Day, and they shall be at Liberty, either to return safely into their own Countries, or to settle their Abode elsewhere, as they shall think fit.

XXXI, XXXII. Such as have been provided by either Side, with Benefices, or by the Pope, shall continue in possession of the same during their Lives; as shall those who have been nominated by either King.

XXXIII. To the end this Peace and Union shall be the more lasting and undissoluble, the two aforesaid Plenipotentiaries, by virtue of the Special Power granted them by their Kings, have in their Names concluded and agreed, the Marriage of the most Christian King with the

the Infanta *Mary Teresa*, Eldest Daughter to the Catholick King, and have made, and subscrib'd, a particular Treaty, touching the Conditions of this Marriage, which is to be of the same Force, with this Treaty of Peace, as being the chiefeft part thereof.

XXXIV. To save the length of Time it would take up to discuss the Pretensions of both Kings, and for the speedy concluding of the Peace, it has been agreed, that all the differences between the said Kings shall be compos'd as follows.

XXXV. The most Christian King shall remain possess'd, and enjoy the following Countries, Places, Towns, Castles, Dominions, Lands and Lordships.

In the County of *Artois*, the Towns of *Arras*, *Hesdin*, *Bapaume*, *Bethune*, *Lillers*, *Lens*, *St. Pol*, *Tervuane*, *de Pas*, and Bayliwicks thereof, as also of all the other Bayliwicks and Chastellanies of the said *Artois* whatsoever, tho' not here particularly nam'd and mention'd; except only the Towns, Bayliwicks, and Chastellanies of *Ayre*, and *St. Omer*, with their Dependences, &c. which shall remain to his Catholick Majesty, as also the Place of *Renty*, if it be found to be of the said Dependences of *Aire*, or *St. Omer*, and not otherwise.

XXXVI.

XXXVI. In the County of *Flanders*, the said King shall remain possess'd of the Places of *Graveling*, the Forts *Philip*, of the *Sluce*, and *Hannin Bourburg*, and the Castellanies thereof also *St. Venant*, and their Dominions, Dependences, &c.

XXXVII. In the Province of *Hainault* the said King shall enjoy the Places of *Landrecy*, and *Quesnoy*, with their Dependences, &c.

XXXVIII. In the Dutchy of *Luxemburg*, the Places of *Thionville*, *Montmedy*, and *Damvilliers*, with their Dependences, &c. also the Provostships of *Ivoy*, *Chavancy*, and *Chasteau*, and the Place and Post of *Marville*.

XXXIX. The Places of *la Bassée* and *Berg St. Winoc* and the Royal Fort of *Berg*, which his most Christian Majesty has declar'd, he can never consent to part with, shall be exchange'd for the Places of *Marienburg* and *Philippeville*, and their Dependences, and the Possession thereof, to be secur'd to him by his Catholick Majesty.

XL. His Catholick Majesty obliges himself to put into the Hands of his most Christian Majesty, the Place of *Avesnes*, with all its Dependences, and to indemnify the Prince of *Chimay* for his Pretensions there.

XLI. The aforeſaid Places of *Arras*, *Hesdin*, *Bapaume*, *Bethune*, *Lillers*, *Lens*, *St. Poll*, *Tervuane*, *Pas*, and their Bayliwicks ; as alſo all the other Bayliwicks, and Caſtellanies of *Artois*, (except only as aforeſaid, thoſe of *Aire* and *St. Omer*,) as alſo *Renty*, in Caſe it be not found of the Appurtenances of *Aire* or *St. Omer* ; together with the Places of *Graveling*, the Forts *Philip*, *Sluice* and *Hannain Bourbourg* and *St. Venant* in *Flanders* ; the Places of *Landrecy* and *Quesnoy* in *Hainault*, thoſe of *Avennes*, *Marienburg* and *Philippeville* ; and likewise thoſe of *Thionville*, *Montmedy*, *Damvilliers*, *Ivoy*, *Chavency*, *Chasteau*, and *Marville* in *Luxemburg*, with all their Dependences, &c. ſhall remain unto the moſt Chriſtian King, his Heirs and Succeſſors, irrevocably and for ever, with all the right of Sovereignty, Propriety, &c. and to that end, the Catholick King for himſelf, and his Succeſſors, renounces and transfers, to the moſt Chriſtian King, all his Rights, Pretenſions, &c. and does conſent that all the aforeſaid Places, be for ever united to the Crown of *France*.

XLII. As for the Places and Countries taken, during this War, by the Arms of *France* towards *Spain*, it is agreed, that the *Pyrenean Mountains* ſhall divide the ſaid Two Kingdoms ; and that according

ly, the most Christian King shall remain possess'd of and enjoy, the whole Counties and Vicqueries of *Roussillon* and *Conflans*, with all the Towns, Countries, Places, &c. thereunto belonging; and to the Catholick King, shall remain the County and Vicquery of *Cerdagn*, and the whole Principality of *Catalonia*, with all Places depending on them. But if in the County and Vicquery of *Conflans*, there shall be found any place, in the aforesaid *Pyrenean* Mountains, on the Side of *Spain*, it shall likewise remain to his Catholick Majesty; and if any Place be found in the County of *Cerdagn*, on the Side of *France*, of the said Mountains, it shall remain to his most Christian Majesty. Commissioners shall be appointed to declare and mark out the Limits on the *Pyrenean* Mountains; and if they cannot agree, the thing shall be reported to the two Kings, to conclude it between themselves, without Recourse to Arms.

XLIII. The whole Counties and Vicqueries of *Roussillon* and *Cerdagn* aforesaid, excepting such Places in the latter, as shall appear to be on the side of *Spain*, shall by this Treaty remain for ever, and irrevocably united to the Crown of *France*, with all their Rights, Royalties &c.; and his Catholick Majesty does for himself,

his Heirs and Successors for ever, and irrevocably quit, yield, and transfer the same, to the most Christian King; and to that Effect, does quite absolve the Vassals and Subjects of the said Countries from henceforth and for ever, of the Faith, Homage, Service and Oath of Fidelity, all, or any of them, may have made to him, or his Predecessors, the Catholick Kings, and all Obedience, Subjection, and Vassallage they may owe unto him.

XLIV. His Catholick Majesty shall re-enter into the Possession of the County of *Charclois*, to enjoy it fully and peaceably, and hold the same under the Sovereignty of the most Christian King, as he held it before the Present War.

XLV. His most Christian Majesty shall restore to the Catholick King in the Low-Countries, the Towns and Places of *Tpres*, *Oudenard*, *Dixmude*, *Farnes*, *la Finelle*, *la Quenoque*, *Merville*, *Menin* and *Comines*, with their Appurtenances &c; ; as also *Berg St. Winoc*, and it's Royal Fort, and *la Bassée* in Exchange for *Marientburg* and *Philippeville*, as has been said above.

XLVI. His most Christian Majesty shall restore the Catholick King in *Italy*, the Places of *Valence* and *Mortara*, with their Appurtenances.

XLVII. In the County of *Burgundy*

the most Christian King shall restore to his Catholick Majesty, the Places and Forts of *St. Amour, Bleverans* and *Jour*, with their Appurtenances.

XLVIII. Towards *Spain*, His Most Christian Majesty shall restore to the Catholick King, the Town and Port of *Rosès*, the Fort of the *Trinity*, *Cap de Quers*, *la Sen de Urgel*, *Toxen*, the Castle of *La Bastida*, the Towns of *Baga* and *Ripol*, and the County of *Cerdagne*, in which are *Belver*, *Puicerda*, *Carol* and the Castle of *Cerdagne*, with all the Appurtenances belonging to them; excepting such Places in *Cerdagne*, as before mention'd, that are on the French Side of the Mountains, which shall remain to *France*.

XLIX. The Catholick King shall restore to his most Christian Majesty, the Towns and Places of *Rocroy*, *le Chatelet* and *Lenchamp*, with all their Dependences, &c.

L. The Restitution of the aforesaid Places, shall be made by both Kings, without any Delay, and in the same Condition the said Places are in at present.

LI. The said Kings may carry away, from the Places restor'd, all their Warlike Ammunitions and Provisions, and the Officers and Soldiers, all their Goods, but not any thing belonging to the Inhabitants,

bitants, and shall pay whatsoever Debts are due from them, as shall both Kings, for whatsoever has been taken for their Service.

LII. The Officers and Soldiers in *Hesdin*, who revolted from the most Christian King, shall receive his Act of Amnesty, and deliver up that Place to his said Majesty, and in case of Refusal, shall be excluded the said Amnesty, and no way assisted by the Catholick King.

LIII. The Places of *Avennes*, *Philippeville* and *Marienburg*, with their Appurtenances being yielded up to the most Christian King, it is agreed, That in case there shall be found any Boroughs, Villages, &c. between those Places and *France*, which ought to remain to his Catholick Majesty, it shall not be Lawful for his said Majesty, or his Successors, to fortify any of them, so as to cut them off from *France*, or disturb the Communication between them ; and in Case the Place of *Renty* be found to appertain to his Catholick Majesty, neither he nor his Successors shall fortify the same.

LIV. All Papers, &c. relating to the Countries, &c. that are to remain to the most Christian King, shall be deliver'd up in three Months after the Exchange of the Ratifications.

LV. All the *Catalonians* whatsoever shall have a general Amnesty and Pardon, and be restor'd to their Estates, Honours, &c. and allow'd to return Home without being molested, or to reside where they shall think fit. But both the Kings shall be allow'd to assign such Places of abode as shall seem good to them, to such Persons as have, during the War, withdrawn themselves from their Service, and whom they are not pleas'd to allow to return Home.

LVI. The Successions by Will, or other Deeds of Gift, made by the Inhabitants of *Catalonia* and those of *Roussillon* to one another shall stand good ; but in case any Controversy should arise about them, impartial Justice shall be done.

LVII. The Prelates promoted during the War, with the Pope's Approbation, and living on the Lands of either Party, shall enjoy the Revenues, &c. which shall be within the Limits of the other Party.

LVIII. Those who have enjoy'd Estates confiscated, shall not be oblig'd to refund to the Owners of the Estates restor'd, the Revenues of the same receiv'd during the War.

LIX. Commissioners shall be appointed on both sides, amicably to adjust all Differences between the two Parties, touching Restitutions.

LX. It is agreed, that his most Christian Majesty shall have three Months, from the exchanging of the Ratifications of this Treaty, to send into *Portugal*, to endeavour so to accommodate Affairs, that his Catholick Majesty may remain fully satisfy'd After the expiration of which three Months, if his Majesty's good Offices have not the desir'd Effect, his said Majesty will not meddle any farther in that Affair, but does oblige and engage himself, and promise on his Honour, and on the Word of a King, for himself and his Successors, not to give unto the said Kingdom of *Portugal*, either in general, or to any person or persons in particular, of what Dignity, State, Condition, or Quality soever they be, either now or hereafter, any Help or Assistance, publick or secret, directly or indirectly, of Men, Arms, Ammunition, Victuals, Ships, or Money, nor any other thing whatsoever, by Sea or Land, nor in any other manner, upon any pretence. As also not to suffer any Levies to be made in any parts of his Dominions, nor to grant passage to any that might come from other States to the Assistance of the said Kingdom of *Portugal*.

LXI. His Catholick Majesty for himself, his Heirs, Successors, &c. renounces
all

all Right and Pretensions to the Upper and Lower *Alsace*, *Zantgam*, the Country of *Ferrefe*, *Brisack*, and the Dependences thereof, yielded up to the Crown of *France* by the Treaty of *Munster*; and in Consideration of the said Renunciation, his most Christian Majesty offers to pay three Millions of Livres his Majesty is by the said Treaty oblig'd to pay to the Archdukes of *Inspruck*.

LXII, LXIII, & LXIV. Duke *Charles* of *Lorain* shall be restor'd to his Dukedom of *Lorain*, and even the Towns, Places and Countries, by him formerly possess'd depending of the three Bishopricks of *Metz*, *Toul* and *Verdun*, except *Moyenwick*, yielded to his most Christian Majesty by the Treaty of *Munster*, the Dukedom of *Bar*, the County of *Clermont*, and the Lands of *Stenay*, *Dun* and *Jametz*, which shall ever remain incorporated to the Crown of *France*. The Fortifications of *Nancy* shall be demolished before it is restor'd, and all the Artillery and Ammunition withdrawn, and the Duke shall not be allow'd to fortify it again.

LXV. to LXIX. The said Duke *Charles* of *Lorain* shall before his Reestablishment, in the most valid Form, resign and yield up to his most Christian Majesty all the Places mention'd in the foregoing Article; and

and never demand the Price the late King *Lewis XIII.* had oblig'd himself to pay for the aforesaid County of *Clermont*. The said Duke and his Adherents shall be oblig'd to disband their Forces. He shall renounce all Alliances, &c to the Prejudice of *France*, and oblige himself and his Successors, to give free passage to such Persons and Forces as his said Majesty shall have occasion to send into *Alsace*, or to *Brisack* and *Philipsburg*; which Forces shall be furnish'd with all Necessaries, paying for the same, and they shall pass regularly without sojourning in *Lorain*.

LXX. The said Duke shall in due form oblige himself and his Successors, to cause the Farmers and Administrators of the Saltpits of *Refieres*, *Chasteau Salines*, *Dienze*, and *Marzal*, which his Majesty does restore to him, to afford all such Quantity's of Salt as shall be necessary for the ordinary Use of his Majesty's Subjects, of the Bishopricks of *Metz*, *Toul* and *Verdun*, the Dukedom of *Bar*, the County of *Clermont*, and the Lands of *Stenay*, *Jametz* and *Dun*, at the same rate for each Measure, as it us'd to be afforded for the Bishoprick of *Metz* in time of Peace, and neither he nor his Successors shall ever raise the Price.

LXXI. to LXXVI. The Duke shall restore

store to his Grace and Favour all such of his Subjects as have serv'd the present King, or his Royal Father. He shall not alter any thing in the Provision of Benefices made by the said Kings. The Confiscations given by the King and his Father, shall be of Force till the Day of the Date of this Treaty. The Judgments given by Courts, whilst the Kings of *France* were in Possession of *Lorain*, shall have their full Force. All other Gifts and Alienations made by the said Kings, which were not on account of the War shall remain good and valid. All that have paid Rights and Duties for Lands, or that have receiv'd remission for the same, shall not be molested in their possession.

LXXVII. & LXXVIII. In case the said Duke *Charles* shall refuse to ratify what is here agreed on by the two Kings relating to himself, the most Christian King shall not be bound on his part to execute any of the Articles. And if the Duke, after accepting of the Conditions, shall fail in the Performance, his Majesty then reserves to himself all the Rights he has acquir'd to the said Dominions of *Lorain* by several Treaties. And his Catholick Majesty does consent that the most Christian King shall not be oblig'd to the Reestablishment of the said Duke, till
after

after the Emperor shall have ratify'd all the Articles of it.

LXXIX. to LXXXIII. The Prince of *Conde* having express'd his Sorrow for being in Arms against his Sovereign, and humbly submitting himself to his Clemency, his Majesty orders that the said Prince disband all his Forces that he submit to what has been agreed on, concerning him by the two Kings, and renounce all Leagues, Treaties, &c. with the Catholick King, and that he put into the Hands of his most Christian Majesty the Places of *Rocroy*, *Chastelet* and *Linchamp*. These things being perform'd, his Majesty will restore the said Prince to his Grace and Favour, and to all his Estates, Honours, &c. as Prince of the Blood; yet so as he shall never demand the Profits of the said Estates, or of any Pensions, Salaries, &c. for the Time past.

LXXXIV. His Catholick Majesty leaving the Place and Citadel of *Jaliers* free to the Duke of *Newburg*, and quitting to the most Christian King for ever the place of *Avennes*, his said most Christian Majesty will in lieu of all Governments possess'd by the Prince of *Conde*, give to the said Prince the Government of the Province of *Burgundy* and *Bresse*, wherein are understood to be comprehended the Countries

tries of *Bugey*, *Gex*, and *Vomeray*, as also of the Castle of *Dijon*, and of the Town of *St. Jean de Laune*, and to the Duke of *Enguien*, his Son, the Charge of Great Master of *France* and of his Household.

LXXXV. His said Majesty shall pass a solemn Amnesty for whatsoever the said Prince and his Adherents may have done, contrary to his Service, &c.

LXXXVI. When the said Prince of *Conde* shall have perform'd on his part what is contain'd in the Articles 79, 80, 81, 82, and 83, his most Christian Majesty will restore him to all his Honours, Lands and Goods whatsoever.

LXXXVII. The said Prince's Friends, Adherents, &c. who have follow'd his Party, shall in like manner enjoy the Amnesty, and be restor'd.

LXXXVIII. Pursuant to the 84th Article, his Catholick Majesty does promise and oblige himself to restore to the Duke of *Neuburg* the Town and Castle of *Ju-liers*; the said Duke engaging not to sell, or pawn, the same to any other Prince, and to give his said Majesty's Troops passage through it at any time.

LXXXIX. The Reservations contain'd in the 21st and 22d Articles of the Treaty of *Vervins*, shall have their full and entire Effect; in consequence whereof the most
Christian

Christian King may prosecute by way of Justice, and not by Arms, any Pretensions he has

XC. The same Right is preserv'd to his Catholick Majesty.

XCI. The Duke of *Savoy* shall be included in this Treaty ; all Hostilities cease ; and the Subjects of his Catholick Majesty and the Duke be restor'd to the Peaceable Possession of all their Goods, Rights, &c. on both sides.

XCII. His Catholick Majesty shall restore to the Duke of *Savoy* the Town and Castle of *Vercell*, in the same condition as when taken ; as also the place of *Cencio*, in the *Langued*, in the same condition it now is, with all their Dependences.

XCIII. His Catholick Majesty does promise, the Duke of *Savoy* shall be paid the Arrears of the Dower of the *Infanta Catherine*, &c.

XCIV. To prevent for the future all Controversies that may arise by espousing the Interest of the Dukes of *Savoy* and *Mantua*, it is agreed, that the Treaties made at *Querasque* in the Year 1632, about the Differences between the said two Houses of *Mantua* and *Savoy* shall be executed, according to their Form and Tenor.

XCV. The difference between the said two Houses of *Savoy* and *Mantua*, relating

to the Dower of the Princess *Margaret* of *Savoy*, shall be compos'd, by Commissioners on both sides, in the Presence of the *French* and *Spanish* Embassadors.

XCVI. The Duke of *Modena* shall be receiv'd into his Catholick Majesty's Grace, and his Subjects shall have liberty of Commerce within the Dominions of both Crowns.

XCVII. His Catholick Majesty shall withdraw his Garrison from *Corregio*, and procure the Investiture thereof for the Duke of *Mantua*, from the Emperor.

XCVIII. His Catholick Majesty shall do Justice to the Dukes of *Savoy* and *Mantua*, touching the Dower of the Infanta *Catherine*.

XCIX. For the preventing of farther Troubles in *Italy*, the two Kings will interpose with the Pope, for causing the difference there has long been between the Duke of *Modena* and the Apostolick Chamber, touching the Property and Possession of the Valleys of *Comacchio*.

C. The two Kings will press the Pope that the Duke of *Parma* may have Power to discharge, at convenient times, the Debt he has contracted to the Apostolick Chamber.

CI. Their Majesties will by their Embassadors, labour to accommodate all differences

rences that may trouble the Peace of the Empire, and pacify the Northern Parts

CII. The same Endeavours shall be us'd with the Cantons of *Switzerland*.

CIII. The Affair among the *Grisons*, about the *Valteline*, shall be amicably compos'd

CIV. The Prince of *Monaco* shall be restor'd to all he enjoy'd before the War in the Kingdom of *Naples*, Dutchy of *Milan*, and other Places, under the Obedience to his Catholick Majesty.

CV. His Catholick Majesty shall pay to the Dutchess of *Chevreuse* 55000 *Philips*, amounting to 165000 *Livers*; *French* Mony, for the Lordships of *Kerpun* and *Lommersein*.

CVI. All Prisoners of War shall be discharg'd without Ransom.

CVII. All Subjects of the two Kings, detain'd in the Gallies, or in Garrison, on the Coast of *Africk*, shall also be releas'd *Gratis*.

CVIII. The Treaty made at *Vervins* in 1598 hereby confirm'd and approv'd

CIX. Commissioners shall be appointed for the Performance of what has not been executed, of the said Treaty of 1559, and that of 1558.

CX. The same Commissioners shall settle the Limits between the two Kings.

CXI.

CXI. The Expences of Prisoners to be releas'd by this Treaty, to be paid down, and other Debts relating to Prisoners, to be regulated by Commissioners.

CXII. Each King to lend to the Court of the other a Minister, to see Justice done in matter of Restitutions.

CXIII. The surrendring of Places agreed on by this Treaty, to be made as follows.

CXIV. The most Christian King, on the 13th of *November*, to surrender to his Catholick Majesty, the Places of *Valence* on the *Po*, and *Mortara* in the State of *Milan*; and on the same Day, the Catholick King, shall deliver up to the Duke of *Savoy*, the Place and Citadel of *Vercell* in *Piemont*; and towards the *Low-Countries*, the Place of *Chastelet* to the most Christian King.

CXV. On the 27th of *December*, the most Christian King shall restore, *Andenard*, *Marville*, *Menene*, *Comines*, *Dixmude*, *Furmes*, *la Fintelle* and *la Quenoque*, as also *Rotroy* and *Linchamp*.

CXVI. On the 4th of *January* 1660, the said most Christian King shall restore to his Catholick Majesty *Ypres*, *la Bassée*, *Berg St. Vinox*, in the *Low-Countries*, and all the Towns, Posts, &c. taken by the *French* in *Catalonia*, except *Roses*, *Trinity Fort* and *Cap de Quiers*; and on the same Day his

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Catholick

Catholick Majesty shall put into the hands of the most Christian King, *Hesdin, Philippeville and Marienburg.*

CXVII. After the Prince of *Conde* is restor'd to his Honours, the Catholick King, shall restore *Avennes* to the most Christian King, and *Juliers* to the Duke of *Newburg*; and on the same day, his most Christian Majesty shall deliver up to the Catholick King, the Posts, Towns, &c. taken by the *French* in *Burgundy*.

CXVIII. The Commissioners having appointed the Limits of the Counties of *Conflans*, and *Cerdagne*, and the aforesaid Restitutions being all made, the most Christian King, shall on the Fifth of *May* 1660, restore to his Catholick Majesty, the Places and Posts of *Roses*, *Trinity Fort*, and *Cap de Quiers*.

CXIX. Equal Quantities of Artillery, Ammunitions and Provisions, shall be left in the Places of *la Basse*, and *Berg St Winox*, as in *Philippeville* and *Marienburg*, when they are exchange'd.

CXX. Their Majesties promise to send Orders to their Generals, for the faithful Execution of the aforesaid Restitutions,

CXXI. Duke *Charles* of *Lorain* performing what has been stipulated, concerning him in this Treaty, shall be restor'd within Four Months from the exchanging of the Ratifications.

CXXII.

CXXII. and CXXIII. These two Articles mention the Princes and States, comprehended in this Treaty, as Friends and Allies to the two Kings.

CXXIV. This Treaty to be register'd in the most solemn manner on both Sides, and to be ratify'd within Thirty Days after signing, and sworn to by both Kings. Which was accordingly perform'd.

The Contract of Marriage between the most Christian King Lewis XIV. and the Infanta of Spain, Mary Teresa, eldest Daughter to King Philip IV.

I. **T**hat the Marriage be at present celebrated by *Proxy*, according to the Canons, &c. and Personally at her Arrival in *France*.

II. That his Catholick Majesty shall be oblig'd to give the Infanta *Mary Teresa* in Dower, 500000 Gold Crowns of the Sun, or their Value; one third at the Consummation of the Marriage; another third within a Year, and the remainder in six Months after.

III. His most Christian Majesty obliges himself

himself to settle sufficient Funds for the Security of the said Lady *Mary Teresa's* Dower to his Catholick Majesty's Content, in Propotion as he shall receive the 500000 Crowns,

IV. That in Consideration of the said Payment made to his most Christian Majesty, of 500000 Gold Crowns of the Sun, the said *Infanta* shall be disabled for ever claiming, or pretending any Right and Title to the mighty Inheritance of their Catholick Majesties, her Father and Mother ; but shall remain excluded from whatsoever might have belong'd to her on that Account; and before the contracting of the Marriage, shall renounce any such claim, in due Form, and with all the necessary Solemnity. Which Renunciation she shall make before she is married by Proxy, and shall ratify the same immediately after the Celebration of the Marriage, jointly with his most Christian Majesty. To the Accomplishment of which Renunciation, his most Christian Majesty, and her Highness shall, and do hold themselves oblig'd from this time ; and in case they should not make the said Renunciation and Ratification, they shall be from this time deem'd and reputed as if they had been really made ; which shall be done in the most Authentick and Effectual Form that may be, to render them
good

good and valid, with full derogation to all Laws, Customs, &c. that might otherwise invalidate the said Renunciation and Ratification.

V. That for as much as their most Christian and Catholick Majesties have agreed on this Marriage for Security of the Publick Peace, confirming of true Friendship between themselves, the propagating of Religion, and for the Benefit of their Subjects, therefore their said Majesties do make it a perpetual Agreement between them, which shall have the Force of a firm and standing Law for ever, that the Infanta *Mary Teresa*, and the Children born of her, whether Males or Females, and their Dependants, in any degree whatsoever, and for ever, shall be incapable of succeeding in any of the Kingdoms, Dominions, Lordships, &c. which his Catholick Majesty does at present possess, or which do, or may hereafter belong to him, either within or without the Kingdom of *Spain*, or which his said Majesty, or his Successors, may hereafter acquire, or may any way accrue to him or them, on any Account whatsoever, whether during the Life of the said Infanta, or after her Death, during the Life of any of her Descendants. From which Succession the said Infanta owns herself, her Children
G 3 and

and Descendants, either Males or Females, wholly excluded in all Cases whatsoever, notwithstanding any of them should plead that the Reasons on which this Exclusion is grounded, might not then subsist, or that the Male Line of the Catholick King, or his Successors, should fail and be extinct : For, as has been said, neither she, nor her Heirs or Successors, shall at any time, or on any Account succeed, or pretend to succeed, notwithstanding any Laws, Customs, &c. to the contrary, all which their Majesties derogate, as far as they may concern this Contract, or the execution of it ; and it is their Will and Intention that the Infanta and her Descendants remain for ever excluded and disabled from succeeding at any Time, or on any Account, to the Dominions of *Flanders*, the County of *Burgundy* and *Charollois*, their Appurtenances and Dependences. But in Case the said Infanta should be left a Widow, without Children by this Marriage, she shall be free from the said Exclusion, and capable of succeeding to all that may appertain to her ; but only in two Cases ; the one, if she continues a Widow, without Children, and returns into *Spain* ; the other, if for the Publick Good, &c. she shall marry again with the Consent of the Catholick King her Father, or of the Prince her Brother.

VI. That the Infanta *Mary Teresa* shall, before her being Contracted, oblige herself, and her Heirs and Successors in Writing, to all that has been said above, and to the Exclusion of herself and Descendants; approving all as contain'd in this Capitulation, with the requisite Clauses and Oaths. And the aforesaid Obligation and Ratification, made at this Capitulation, being inserted, she shall jointly with the most Christian King make another of the same Tenour, as soon as Marry'd, which shall be Register'd in the Parliament of *Paris*, in usual Form; and being approv'd by the Catholick King, in like manner Register'd in his Council of State. And whether the said Renunciations and Ratifications be made or no, they may be deem'd and look'd upon as good and effectual, by the Proclaiming of the Peace in *France*.

VII. His most Christian Majesty shall give to the Infanta the Value of 50000 Crowns of the Sun in Gold for her Jewels, which shall all belong to him, his Heirs and Successors.

VIII. His most Christian Majesty shall settle on the Infanta 20000 Gold Crowns of the Sun Yearly by way of Dower, which she shall enjoy as long as she lives, either in *France*, or elsewhere; and she

shall have the Nomination of all Officers as us'd by the Queens of *France*, with this Proviso, that they shall be Natural born *Frenchmen*.

IX. His most Christian Majesty shall assign the Infanta a proper Revenue for maintaining her House.

X. The most Christian King and the Infanta shall be Marry'd by Proxy, which done the Catholick King shall send her to the Frontiers of *France*, as becomes her Dignity, and she shall be there receiv'd in like manner by his most Christian Majesty.

XI. In case her Highness happens to survive his most Christian Majesty, she shall be free to return into *Spain*, or where she shall think fit, with all her Jewels, Plate, and Moveables whatsoever, without any let or molestation, and shall enjoy the Jointure settled on her.

XII. Their Majesties will intreat the Pope to approve of this Contract of Marriage, and of the Oaths they shall take thereupon, &c. and they shall promise on their Royal Words to observe and execute the whole inviolably ; and the Ratifications shall be deliver'd to each of them within thirty Days from the Date hereof, with full promise that they will observe and cause it to be observ'd, &c.

This

This is the *Pyrenean Treaty*, which compleated what had been left unfinish'd by that of *Munster*; and was the giving of Peace to *France* and *Spain*, as the other had given it to the Empire, the Northern Crowns and *Holland*. By the *Munster Treaty*, *France* having gain'd those great Advantages we have mention'd above, was the better enabled to deal with *Spain* alone, and *Spain* purchas'd a Peace with *Holland*, at the Expence of all the United Provinces, to be the more at Leasure to oppose *France*. The War between those two Nations had continued 25 Years, when it was concluded by the *Pyrenean Treaty*, with very considerable Advantage to *France*, notwithstanding the many Places by it restor'd to the *Spanish* Monarchy. How considerable the said Advantage was, will the better appear, by a short Recapitulation of what was yielded up to it, being the most considerable Part of the Province of *Artois*, containing the fortify'd Places of *Arras*, *Hesdin*, *Bapaume*, *Bethune*, *Lillers*, *Lens*, *St. Pol*, *Terouane* and *de Pas*, with all their Dependences, only *Aire* and *St. Omer* remaining to his Catholick Majesty. In *Flanders* the most Christian King gain'd *Graveling*, *St. Venant*, the Forts *Philip*, *Sluce*, and *Bourbourg*, in *Hainault*, *Landrecy* and *Quevoy*, *Marienburg*, *Philippeville* and *Avennes* in

in the Province of *Luxemburg*, *Thionville*, *Montmedy*, *Damvilliers*, *Ivoy*, *Chavancy*, and *Chasteau*; all these in the *Low Countries*; and on the Side of *Spain*, the whole Counties of *Roussillon* and *Conflans*. These were the Acquisitions to *France*, besides all Privileges of Trade, equal with the *English* and *Dutch*, the Sword had gain'd them, and the Peace confirm'd the Possession for ever.

Six Months after the Conclusion of the Peace, the two Kings met in the same House, on the Island of *Pheasants*, in the River *Bidassoa*, where the Treaty had been made and sign'd. There they both enter'd into fresh Engagements, for observing of the Peace, and the Catholick King deliver'd his Daughter to his most Christian Majesty. The whole Substance of the Acts of Renunciation is contain'd in the Contract of Marriage, so that the transcribing of them would be but a Repetition of the same thing, without any Addition but Forms to the Articles, which are there inserted Word for Word; and indeed these Acts are the Infanta's, for I know not of any in particular, made by the most Christian King, who obliges himself to the said Act of Renunciation by the Treaty and Contract, which he ratify'd.

To proceed regularly in point of time, we must for a while leave what relates to the Marriage Contract, to say somewhat touching the Observation of the Articles of the Treaty, which *France* is said never to have intended, and the Charge is maintain'd by proving that they were infring'd as soon as made : thus ;

By the 60th Article of the said Treaty, his most Christian Majesty, in case his good Offices for an Amicable Accommodation, cannot succeed in three Months, *does oblige and engage himself, and promise on his Honour, and on the Word of a King, for himself and his Successors, not to give unto the said Kingdom of Portugal, either in general, or to any Person or Persons in particular, of what Dignity, State. Condition, or Quality soever they be, either now or hereafter, any Help or Assistance, publick or private, directly or indirectly, of Men, Arms, Ammunition, Victuals, Ships, nor any other thing whatsoever, by Sea or Land, nor in any other manner, upon any Pretence. As also not to suffer any Levies to be made in any part of his Dominions, nor to grant Passage to any, that might come from other States to the Assistance of the said Kingdom of Portugal.* It plainly appears, by the Treaty, that the abandoning of the Affairs of Portugal, was a fundamental Article of the Peace,

in

in consideration whereof *Spain* yielded up to *France*, the many strong Places and Dominions above mention'd. But that this Article was never observ'd plainly appears, in that Troops were immediately sent by small Parcels with much Secrecy into *Portugal*, and tho' upon Complaint made by the Marquess *de Fuentes*, publick Orders were sent to the Governours of Ports, not to suffer any Soldiers to embark for *Portugal*, yet they never ceas'd to go over by Connivance. Nay, soon after, the Marshal *de Turenne* raising Men publicly for the support of that Kingdom, when the Marquess *de Fuentes* again complain'd that it was an open Breach of the Treaty, he was coldly answer'd, It was the Act of a private Person wherein the Court was no way concern'd. Besides, that there were continual Supplies sent of Corn, and Warlike Stores. There are also intercepted Letters, which prove, that the Court of *France* always encourag'd the *Portuguese* not to accept of the Advantageous Terms offer'd them by *Spain*. The Duke of *Beaufort* lay part of a Summer with the *French* Fleet, on the Coasts of *Portugal*, to secure the carrying in of Provisions and Ammunition, which those People were in great want of. Lastly, In the Year 1667, a League Offensive was concluded between

France

France and Portugal. All these particulars are look'd upon as positive Breaches of the aforesaid *Pyrenean Treaty*, but before we proceed to others, it will be proper to take notice of two notable Events, soon after the said *Pyrenean Treaty*, both in the Year 1662; being the Point of Precedence yielded by *Spain* to *France*, and the Sale of *Dunkirk* by King *Charles II.* of *England*, to the most Christian King. The first of these in Order of Time, and which sufficiently explains it self, is,

*The Declaration of Spain for Giving
Precedence to France.*

THE Count *d' Estrades*, his Majesties Ambassador in Ordinary at the Court of *England*, having sent his Servants and Coaches to meet the *Swedish* Ambassador, the Baron *de Batteville*, his Catholick Majesty's Ambassador to the King of *England*, in like manner sent his Servants and Coaches to meet the said *Swedish* Ambassador, with positive Orders to take place of those of the said Count *d' Estrades's*; which Servants of the Baron *de Batteville*, assisted by above 2000 of the Natives, provided
and

and hir'd for that purpose, attacked the said Count *d' Estrades's* Servants, kill'd the Coachmen and Horses, and wounded several others.

The most Christian King being inform'd hereof by the said Count *d' Estrades*, immediately order'd the Count *de Fuensaldana*, the *Spanish* Embassador Extraordinary at his Court, to depart his Dominions, and at the same Time sent Orders to the Archbishop of *Ambrun*, his Embassador in Ordinary to the Catholick King to demand Satisfaction of his said Catholick Majesty, who promis'd it should be given to the most Christian King's Content. Accordingly the Marquess *de Fuentes* being admitted to Audience, after presenting his Credentials, spoke thus ;

The King, my Master, has commanded me to deliver these Credentials to your Majesty in my behalf, for what I shall represent to your Majesty in his Royal Name, and in Answer to the Letter he receiv'd from your Majesty at Madrid, by the Hands of the Archbishop of Ambrun, your Embassador, on the 29th of October, 1661, dated at Fontainbleau, the 17th of the same Month ; in Answer to which he commands me to acquaint your Majesty, that he is much concern'd at what happen'd in London, on the
10th

10th of the said Month of October, between the Embassadors of both your Majesties to the King of England, about the Precedence of their Coaches, at the Publick Entry of a Swedish Embassador Extraordinary, because of the Displeasure your Majesty has conceiv'd at this Accident, which has had the same Effect on the King my Master, as it had on your Majesty, and therefore upon receiving this Advice, he commanded the Baron de Batteville, his said Embassador, to depart London, and return into Spain, depriving him of that Employment, in order to give your Majesty Satisfaction, and treat him according to his Demerits. He has also commanded me to assure your Majesty, that he has directed all his Embassadors and Ministers, as well in England as in all other Courts, or Places, where the said Ministers do or may reside, and such Difficulties may arise in Point of Precedence, to keep away, and not to appear with your Majesties Embassadors and Ministers at any Publick Acts and Ceremonies, where your Majesties Embassadors and Ministers shall appear.

To which the King Answer'd :

I am well pleas'd to hear the Declaration you have made to me, in the Name of the King your Master ; for as much as it will oblige me to live in Amity with him.

When

When the Marquess *de Fuentes* was withdrawn, the King directing his Discourse to the Pope's Nuncio, and the other Embassadors and Residents there present, said,

You have hear'd the Declaration the Spanish Embassador has made to me, I desire you to write your Masters an Account of it, that they may know his Catholick Majesty has order'd his Embassadors to yield mine the Precedence upon all Occasions.

There were present at this Audience, besides the Princes and Nobility of *France*, all the Foreign Embassadors, Residents, and Envoys then at Court, being the Pope's Nuncio, the Embassadors of *Sweden*, *Savoy*, *Venice* and *Holland*, and the Envoys or Residents of *Florence*, *Mantua*, *Modena*, *Parma*, *Mentz*, *Treves*, *Brandenburg*, the *Palatine*, the Archduke of *Inspruck*, Dukes of *Newburg*, *Lunenburg* and *Brunswick*, the Landgrave of *Hesse*, the Bishop of *Spire*, and the Prince of *Orange*. Sign'd at *Paris*, *March* the 24th, 1662.

By this Declaration of the *Spanish* Embassador in the Name of his Master, *France* undeniably gain'd the long controverted Point of Precedence between the
two

two Crowns, the condescending not to appear with them on publick Occasions, being a tacit yielding up of the Cause.

This same Year 1662, on the 27th of October, was concluded at London the Treaty between Lewis XIV. of France, and Charles II. King of England, for Selling of *Dunkirk* to the French; the Substance of the Articles was :

I. **T**hat the Town of *Dunkirk*, with all its Fortifications, Dependences, &c. should be put into the Hands of the most Christian King, in 15 days.

II. That all Materials for the Fortifications, Artillery and Ammunition, be inventory'd and deliver'd.

III. That if any part of the Inventory be wanting the King of *Great Britain* be oblig'd to pay the Price thereof.

IV. That at the same Time the Fort of *Mardike*, the Wooden Fort, and the great and small Forts between *Dunkirk* and *Berg St. Wynox*, be deliver'd to the most Christian King.

V. That the said Town and Citadel of *Dunkirk*, &c. as above, is Sold to the most Christian King, to be deliver'd within 15 days after the Ratification of this Treaty.

VI. That the said King of France should be oblig'd to pay the Price thereof.

VI. That his most Christian Majesty shall pay for the same five Millions of Livres, according to the present Currency of Money, two Millions down at the Delivery of the Place, and the other three Millions in two Years ; for which Security shall be given.

VII. The said Payments to be in Silver Money, at 60 *Sols Tournois* to a Crown.

VIII. The King of *Great Britain* to warrant the Sale of the said Town for two Years.

IX. If the King of *Spain* should happen to take the Town, within the two Years, the King of *Great Britain* to furnish a considerable Fleet towards retaking of it.

X. The Garrison shall march out, and commit no Disorders ; and if any should happen, the King of *Great Britain* promises to make Reparation.

XI. All Debts due from the Garrison to the Inhabitants shall be discharg'd.

XII. The Toll given to one *Gourard*, for Building a Bridge across the Haven, to be continu'd to him.

XIII. The *English* Subjects to be allow'd to withdraw themselves, with all their Moveables, or to sell them, and be oblig'd to pay their Debts.

XIV. The Commissioners on both sides promise for their Masters the Performance of all these Articles.

Thus

Thus the most Christian King became Master of that Important Place of *Dunkirk*, by Purchase. Where by the way it is to be observ'd, that at the Time of the Sale it was no way considerable, either as to Fortification, or Conveniency of a Harbour ; both those have since cost *France* immense Sums of Money, and more especially the latter, which was formerly capable of none but very small Vessels, and has since been improv'd by Art to receive Ships of Sixty Guns ; and so much in Strength, that if any Place could be call'd impregnable, that might deserve the Name. It has been, during the late Wars, a Thorn in the Sides of *England* and *Holland*, and therefore the Demolishing of it thought fit to be made a main Article in the Treaty of Peace. To proceed ;

The *Dutch* having been Beaten at Sea by the *English*, and several of their Towns taken by the Bishop of *Munster*, in the Year 1686, they had Recourse to *France* for Succours, which were sent them so considerable, that they recover'd all the Places they had lost, and engag'd *France* in a War with *England* ; but that was not lasting, the Breach being made up the ensuing Year upon the following Articles.

*The Treaty of Peace between the Two
Kings, Lewis XIV. of France,
and Charles II. of England, con-
cluded at Breda, July 21. 1667.*

I. There shall be a sincere, perpetual
and universal peace between the
most Christian King, and the King of
Great Britain, and their Subjects;

II. All Hostilities to cease.

III. All Injuries and Damages done
shall be forgot.

IV. Navigation and Commerce shall be
free, as before the late War.

V. All Prisoners on both sides shall be
released without Ransom.

VI. All Edicts publish'd by either Party,
during the War, to the Prejudice of the
other, shall be void.

VII. The most Christian King shall re-
store that part of the Island of St. Chri-
stopher, which the English were possess'd
of before the War.

VIII. If the Subjects of Great Britain
have sold any Estates there, they shall not
be restor'd to them, without returning
the Purchase Money.

IX. If the Subjects of France should
have been expell'd the Island of St. Chri-
stopher,

stopper, before or after the Signing of this Treaty, they shall be restor'd as before the War.

X. The King of *Great Britain* shall restore to his most Christian Majesty the Country of *Acadia*, in *North America*.

XI. If any of the Inhabitants of *Acadia* had rather live under the Dominion of the King of *Great Britain*, they shall have Liberty to depart and sell their Effects.

XII. The most Christian King shall restore to the King of *Great Britain*, the Islands of *Antegoa* and *Montserrat*, if in his Possession, and all others conquer'd by him since the War; and the King of *Great Britain* shall in like manner restore all that may have been taken by his Arms from the most Christian King.

XIII. Slaves taken from the *English*, being willing to return shall be permitted; but if sold, not without refunding the Money.

XIV. Subjects of *Great Britain*, serving the *French* for Wages, shall also have liberty to depart.

XV. What is concluded and agreed on, concerning the Islands above-nam'd, is to be understood of all other Places on both sides.

XVI. All Letters of Mart and Reprisals already granted shall be void, and no more granted for the future.

H 3 XVII.

XVII. All Ships taken on either side to remain in the possession of the Captors, provided it be within twelve Days after the Signing of this Treaty in the Neighbouring Seas, six Weeks in the Seas as far as Cape *St. Vincent*, and six Months beyond the Line.

XVIII. If any new War should break out, the Term of six Months shall be allow'd the Subjects on both sides to withdraw themselves and their Effects.

XIX. All those who shall be nominated on both sides, within six Months after the Ratification, to be admitted to this Treaty.

XX. The Ratifications shall be exchange'd within four Weeks after Signing.

We return now to *France* and *Spain*, which had continued in Peace since the *Pyrenean* Treaty, notwithstanding the first had, contrary to it, as was said above, powerfully supported the Revolt of *Portugal*. *Philip IV.* King of *Spain* Dy'd in *September*, 1665. In 1667, *Lewis XIV.* King of *France*, invades the *Low-Countries*, on Pretence of the Rights of his Queen *Mary Teresa*, Eldest Daughter of King *Philip* above-mention'd, alledging the Title of Devolution, by which he claim'd the Dukedom of *Brabant*, the Counties of *Namur* and *Hainault*, besides several other large

large Dominions, in the said *Low-Countries*. The Title of Devolution is grounded on the Custom of those Provinces, where the Eldest Daughter, by the first Venter, is to succeed the Father, preferably to the Male Children of the Second. Under Colour of this Devolution, the most Christian King, this Year 1667, enters the *Low-Countries* with a powerful Army, and possesses himself of *Bergues, Furnes, Armentiers, Courtray, Tournay, Doway, Oudenarde, Alost* and *Lisle*. The next Year, 1668, he made himself Master of all the *Franche Comte*; but a Treaty already set on Foot at *Aix-la-Chapelle*, put a stop to the Progress of the *French*, they restoring *Franche Comte*, and being confirm'd in the Possession of all they had taken in the *Low-Countries*. This War is severely charg'd on *France* as a second, and most palpable Breach of the *Pyrenean Treaty*. The Enemies of that Nation exaggerate the Injustice of it, by alledging it was begun by Surprise, without any previous Declaration, or so much as any Claim laid before to the pretended Rights. The *French* maintain they had made their Demands at *Madrid*, and had no other means left but to right themselves by Force of Arms. It will be hard to decide between them as to this particular; nor is it so

material, as the other Point of its being directly contrary to the Contract of Marriage and the Renunciation. The *Infanta* made two solemn Renunciations of all the Rights she could pretend to any of the Dominions, which then did, or might belong to the Crown of *Spain*, the most Christian King oblig'd himself equally in those Acts of Renunciation by the Contract of Marriage, wherein the whole Force of the said Renunciation is contain'd, and which he ratify'd, and by that Ratification oblig'd himself as equally never to claim any thing in his Queen's Right, as if he had made the same Act of Renunciation. If therefore he demanded the Provinces aforesaid by Right of Devolution, the Demand itself was a positive Breach of the Marriage Contract; if he did not, the Invasion will, besides its own Injustice, have that aggravating Circumstance added to it, of being made contrary to the Law of Arms, which requires a publick Declaration before the committing of Hostilities. The Civilians on both sides have writ largely on this Subject, and here is not room for long Discourses, but for naked Facts. If however, in a word, I may deliver my Sense of it, nothing appears to me more plain, than that the laying the whole Stress of the Argument against

against *France*, on the Renunciation, is taking it by the wrong Handle. The Renunciation it self was the Act of the *Infanta*, and as such could only bind her, no such Act of the King's having ever been seen ; but the Contract of Marriage, which effectually contains all the Renunciation, and is the Ground of it, was the Act of the King ; and tho' separate, own'd as a Part, and the efficient Part of the Treaty of Peace, and the whole ratify'd by the King. This is the Substance as to the Facts ; the Arguments on both sides shall be left to the Learned ; but the Argument of the Sword prevail'd so far as has been seen above, 'till the following Treaties restor'd Peace to *Europe* again.

The Treaty of Alliance between His Majesty King Charles II of England, and the United Provinces of the Low-Countries, into which King Charles XI of Sweden was admitted, concluded Jan. 23. 1668, and call'd the Triple League.

I. IF any Prince, or State, whatsoever shall invade the Dominions of the King of Great Britain, or commit any Hostilities

Hostilities against him, the *States General* shall assist his Majesty with 40 Men of War, 14 of them to carry between 60 and 80 Guns, and 400 Men each; 14 more from 50 to 60 Guns, and at least 300 Men each; and none of the rest less than 36 Guns, and 150 Men; and besides with 6000 Foot and 400 Horse. These Auxiliaries to be ready within six Weeks after they are demanded, and the Charges to be refunded by the King three Years after the War is ended.

II. The King obliges himself in the same manner, and in the same Proportions, to assist the *Dutch* against any Enemy.

III. The Auxiliary Troops and Ships, on either side, to be under the Command of the Party attack'd, or injur'd.

IV. The Charges of the Auxiliary Troops and Ships ascertain'd for refunding the same in three Years after the War, to the Party by whom furnish'd.

V. This League to be ratify'd within four Weeks by the King and States.

Articles of the same Treaty for bringing the Kings of France and Spain to conclude a Peace.

I. **T**H E King and States shall jointly use all their Interest with his most Christian Majesty, to induce him to promise he will make a sincere Peace with *Spain*, provided his Catholick Majesty can be prevail'd with to yield up to him all that his Arms have conquer'd in the *Netherlands*, or some equivalent.

II. That to this end the most Christian King do consent to a Cessation of Arms, till the end of *May*.

III. That to the end the most Christian King may not refuse the said Cessation, the King of *Great Britain* and the States shall engage, that all the Places taken by *France* the last Campaign, or an Equivalent, shall be yielded to them.

IV. That if the King and States cannot induce the *Spaniards* to consent to the said Conditions of Peace before the end of *May*, yet *France* shall make no farther Progress ; but the King of *Great Britain* and the States shall take upon themselves to bring the *Spaniards* to accept of the said Articles.

V. When

V. When a Peace is concluded the King of *Great Britain* and the States shall be Guarantees of it, as also the Emperor and all other Neighbouring Princes, who think themselves concern'd ; and the number of Forces ascertain'd, to be made use of against either Party infringing the Peace.

VI. All things in this Treaty shall be ratify'd within four Weeks by the King and States.

The King of *Sweden* came into this League as one of the Principals, the King of *Great Britain* and the States obliging themselves to interpose with the Emperor and King of *Spain*, for adjusting of some Differences between them in an equitable manner.

Secret Articles.

I. Matters to be so order'd, to avoid Difficulties, as if no mention were made of a Renunciation in the Treaty, and that the Right of neither Crown may suffer Increase or Diminution ; and if either the King of *Spain* or *France* refuses to comply, the King of *Great Britain* and the States, will proceed against the Refuser ; but if it be the King of *Spain*, he of *France* shall not make use of Arms in the *Low-Countries*.

II. The

II. The King of *Great Britain* and the States shall endeavour to have a Peace concluded at the same time between *Spain* and *Portugal*; yet so that if this cannot be then effected, *France* shall notwithstanding the Peace with *Spain* be at liberty to send Succours into *Portugal*. In case *Spain* consent to the Peace, the most Christian King shall no farther intermeddle with the Affairs of the *Netherlands*, nor demand any Satisfaction for Disbursements, on any Account. And if things being in this Posture, the Auxiliary Troops of *France* should seize any Place in *Spain* or *Italy*, it shall be restor'd to *Spain*, as soon as the Peace with *Portugal* is concluded. But if *Spain* shall refuse to make Peace with *France*, with this Exception of succouring *Portugal*, the King of *Great Britain* and the States, shall be oblig'd to bring *Spain* to a compliance, yet so as the War shall not be carry'd on in the *Netherlands*.

III. In Case the most Christian King shall refuse to accept of the Peace as concerted by this Treaty, *England* and *Holland* shall be obliged to make War against *France*, by Sea and Land, till things be reduc'd to the Condition they were in at the *Pyrenean Treaty*.

*The Treaty of Commerce between
Charles II. King of England,
and the States of Holland, con-
cluded at the Hague, Feb. 17.
1668.*

I. **T**H E Subjects of *Great Britain* shall have Liberty to trade to all Parts in Amity with *Great Britain*, without any Disturbance from the Ships of the *States*, notwithstanding those Parts should be at War with the said *States*.

II. This Liberty shall extend to all Goods which are not call'd Contraband.

III. In that number are comprehended all Arms, and other Things, which serve for the use of War.

IV. All things serving for Sustenance and the Support of Life, not to be included among Prohibited Goods, but they and all others not included in the foregoing Article to be free.

V. *English* Ships laden, entering the Ports of the *States*, with intention to sail to Places in War with them, and producing Passes with an Inventory of the Goods aboard them, in the common Form, shall not be molested, or detain'd under any Pretence.

VI.

VI. The said *English* Ships, riding in Bays, &c. belonging to the States, without Design to enter into their Ports, shall not be bound to give an Account of their Cargo, unless suspected of carrying Contraband Goods.

VII. In cases of lawful Suspicion, *English* Ships shall produce their Passes, as above.

VIII. If they meet at Sea with the Ships of the States, those shall not come within Cannon Shot, but only send two or three Men Aboard to see their Passes.

IX. If any Contraband Goods shall be found in *English* Ships, bound to the Ports of the Enemies of the States, they shall be forfeited, but the Ships and other Goods shall not be condemn'd.

X. Goods belonging to the *English*, found aboard Ships belonging to the Enemies of the States, shall be forfeited; but Goods belonging to the Enemies of the States in *English* Ships shall be free.

XI. The Subjects of the *United Provinces* shall enjoy the same Liberties as to Trade, in the Ports, Bays, Seas, &c. of the King of *Great Britain*, as his Subjects do, in Relation to those of the States.

XII. The Captains and Masters of *English* Ships, shall be charg'd to offer no Injury to those of the *United Provinces*, and
if

if any do, they shall be punish'd, and make Reparation.

XIII. Commanders of Privateers shall give Security to answer the Injuries done by them at Sea.

XIV. If the Commander of an *English* Ship takes a Vessel laden with Contraband Goods, he shall not open any thing, till it be done Ashore, before proper Officers; but if the prohibited Merchandize be only a part of the Lading, he shall take that part out, and let the Vessel proceed on her Voyage.

XV. The King will take care that Justice shall be done in these Cases to the Subjects of the States General.

XVI. Upon any Complaint of an unjust Sentence given, the same shall be examin'd before the King's Council.

XVII. When Sentence is given for the Party opposing the Confiscation of Goods, the Sentence shall be put in execution, upon giving Security, notwithstanding the other Appeal; but it shall not be so, if the other Party have Sentence for them. The same Methods shall be observ'd by the States General towards the *English* Ships.

XVIII. The King and States farther agree, that whensoever both Parties shall think fit, Commissioners be appointed on both sides, to supply all the Defects that shall be found in these Articles.

XIX.

XIX. These Articles, and all therein contain'd, to be ratify'd within four Weeks.

The Treaty between the Two Kings Lewis XIV. of France, and Charles II. of England, and the States of Holland, for procuring a Peace between France and Spain, concluded at St. German en Laye, April 15. 1668.

THE most Christian King having declar'd, that he would be content to make a Peace with *Spain* upon either of the two Alternatives offer'd him by the King of *Great Britain* and the *States General*, viz. either the *Spaniards* yielding up to him all the Places, Forts and Posts which his Army had taken during the last Campaign, with their Dependences ; or else an Equivalent, by surrendring to him the *Franche Comte* (or the *Dutchy of Luxemburg* in Lieu of it) *Cambrai*, *Cambresis*, *Doway*, *Fort Scarpe*, *Aire*, *St. Omer*, *Berg*, *Furnes*, and *Link*, with their Dependences ; and the Marquess of *Castel Rodrigo*, Governour of *Flanders*, being brought in the King his Master's Name, to accept of the

first of the two Alternatives, it was propos'd to the most Christian King to consent to a Cessation of Arms, till the last Day of *May* next ensuing, for the concluding of the Treaty; which the said King agreed to, on Condition the King of *Great Britain* and the States should be *Guarantees* for the performance of what had been offer'd him; and in pursuance thereto, the two Kings and the States empower'd their Commissioners to meet and agree together about the Security to be given for the said Performance, and the readiest way to conclude a Peace, who agreed on the following Articles.

I. That the Treaty of Peace between *France* and *Spain*, shall be concluded according to the aforesaid Project, and the Ratifications on both Sides be deliver'd by the last Day of *May* inclusive.

II. The most Christian King agrees to a Cessation of Arms till the last Day of *May*, upon Condition the *Spaniards* do the same.

III. If *Spain* shall refuse to make a Peace, according to the aforesaid Project, or that the Ratification should not be deliver'd by the last Day of *May* inclusive, his most Christian Majesty being no longer bound to make Peace upon the aforesaid Alternatives, declares, he will still consent

to it during the Months of *June* and *July*, upon the Conditions of the two new Alternatives following, *viz.* That either to the Cession of the Conquests made the last Campaign, *Spain* shall add and yield up *Franche Comte*, *Cambray*, and *Cambresis*; or to the Cession of the other Equivalent before nam'd, shall add that of *Luxemburg* or *Lisle*, and *Tournay*, instead thereof.

IV. If the Peace should not be concluded, and the Ratifications not sent within the said Term, through the Fault of *Spain*, and the most Christian King shall then attack the *Spaniards* to force them to a Peace upon either of the two Alternatives; the King of *Great Britain* and the States shall employ all their Forces by Sea and Land to oblige *Spain* to make Peace upon the Conditions aforesaid.

V. In case the Peace cannot be made as above, in the Months of *June* and *July*, their Majesties and the States shall agree upon new Terms for putting an End to the War.

*The Treaty of Peace between the two
Crowns of France and Spain, con-
cluded at Aix la Chapelle, May 2.
1668.*

I. **I**T is agreed that there be a good and lasting Peace, Amity, &c. between the most Christian and Catholick Kings, their Heirs, &c.

II. As soon as the Ratifications of this Treaty shall be exchang'd, the Peace shall be proclaim'd, all Hostilities cease, and whatsoever Damage may happen to be done shall be repair'd.

III. The most Christian King shall remain possess'd of all Places, Forts and Posts taken by his Arms, or Fortify'd, during the last Campaign, namely, *Charleroy, Binch, Ath, Doway, Fort Scarpe, Tournay, Oudenarde, Lisle, Armentiers, Courtray, Bergues and Furnes*, with all their Dependences.

IV. The aforesaid Places, and their Dependences, shall remain to the said most Christian King, his Heirs and Successors, irrevocably and for ever, with all the same Rights, Prerogatives, &c. that ever belong'd to the Catholick King, so as the said most Christian King, his Heirs and
Suc-

Successors, shall never be disturb'd in the Possession thereof; and therefore the Catholick King renounces all Right and Claim thereto, and absolves all the Inhabitants of those Places from all Faith, Homage, or any Oath of Fidelity taken to him, or to any of his Predecessors, which shall remain void, as if never taken.

V. The most Christian King, as soon as the Peace is proclaim'd, shall withdraw his Forces, from all Places, Forts, &c. in the County of *Burgundy*, commonly call'd *Franche Comte*, and restore the said County to his Catholick Majesty.

VI. The said most Christian King shall also restore to his Catholick Majesty all Places, Forts, &c. taken by his Arms to the Day of Proclaiming the Peace, excepting the Places, &c. above-mention'd, which are to remain to his most Christian Majesty. The Catholick King shall restore in like manner to his most Christian Majesty.

VII. Their Majesties consent that all Kings, Princes, &c. that desire to come into this Treaty, may be Guarantees for performance of it.

VIII. It is agreed, that nothing is hereby revok'd of the *Pyrenean Treaty*, except what relates to *Portugal*, any farther than what is here particularly specify'd,

IX. For the more Security of this Treaty, it shall be Register'd in all the Parliaments of *France*, &c. as also in his Catholick Majesty's Council of State, &c. After the Ratifications exchange'd, both the Kings shall solemnly Swear on the Cross, the Gospels, the Canons of the Mass, and on their Honour, to observe all the Articles of this Treaty really and sincerely.

There is so perfect a Connection between these last four Treaties, that they seem altogether inseparable, the latter still being the Product of the former. The Triple League we see was occasion'd by the War between *France* and *Spain*, to obstruct the rapid Conquests of the former of those Nations in the *Low-Countries*. It has been always extoll'd, as the means of rescuing *Europe* from the Incroachments of the *French*, by those Persons who ever are prying into the Miscarriages of Princes, and the Breach of it has been ever represented in the most odious manner ; and yet that same so much applauded triple League confirm'd his most Christian Majesty in the Possession of all that his Arms had conquer'd, obliging the *Spaniards* to consent to it, and to divest themselves of all their Title to those Places. Nay more, not only *England*, but even *Holland* became

came Guarantee to secure *France* in the perpetual Enjoyment of the said Conquests. This shews us how difficult a Task it is to decide of the Actions of Sovereigns. The Invasion of *Flanders* was either Just, or Unjust. If Just, why is *France* so vehemently charg'd with Breach of Faith, and Usurpation? If Unjust, why do *England*, *Holland* and *Sweden*, join in supporting the Fruits of that Breach of Faith and Usurpation? And why is that triple League which does, cry'd up to the Skies? Again, if the Observation of Treaties ought to be inviolable, how can the Places yielded up for ever be ever reclaim'd; and how can those very Powers, which are Guarantees for the perpetual Enjoyment of the said Places by the Person they are resign'd to, insist upon the Restitution of them to the first Owner? Thus we shall find our selves under the same Dilemma as to the Triple League. Either it was Just, or Unjust. If Just, no part of it ought ever to be broke. If Unjust, what greater Crime was there in breaking it at one time than at another? In short, there is nothing permanent in this World: Treaties are like Laws, they may be good at one time, and pernicious at another. Every Man sets up for a Judge of the Actions of Princes and States, without the

least Knowledge of the Merits of the Cause. We will endeavour to avoid being guilty of such Rashness, by delivering the naked Facts, and leaving the Decision to wiser Heads.

After the Triple League, ensu'd the Treaty of Commerce between *England* and *Holland*, which relating only to Trade, and that upon general Articles, affords nothing material to take notice of. The next is the Treaty between *France*, *England* and *Holland*, for obliging *Spain* to accept of Peace upon the Terms there propos'd ; wherein this farther Hardship is impos'd upon *Spain*, that, in Case of not accepting of the Peace within the time prescrib'd, it should make amends for that Delay with the Forfeiture of no less than a whole Province, and some considerable Towns besides ; and in this *Holland* was as deeply engag'd as *England*. The last Treaty, which is that of *Aix la Chapelle*, puts an End to the War, with the Loss of all the Places above-mention'd to *Spain*, which was oblig'd to sacrifice that part of its Dominion to purchase the Quiet of the rest, as no way able to cope with three such potent Confederates as *France*, *England* and *Holland*. And thus we see the two last of those Nations, whose Cry has ever been against the exorbitant Power
of

of the first, of their own premeditated Council enlarging its Dominions, and confirming to it for ever such considerable Acquisitions, as *Charleroy, Binch, Aeth, Doway, Fort Scarpe, Tournay, Oudenarde, Lisle, Armentiers, Courtray, Bergues and Furnes*, with all their Dependences.

Europe was thus restor'd to Peace ; but notwithstanding there had never since the Restoration been any War between *England* and *Spain*, many desperate *Pirates*, conniv'd at by the Governours of the *English* Dominions in *America*, were continually Robbing, Plundering and Destroying the *Spaniards* in those Parts, with the utmost savage Inhumanity, pretending that the Peace with *Spain* did not extend to the *West-Indies*. A Notion so frivolous, that it is not worthy otherwise to be taken Notice of than with Indignation. But what can the vilest of Miscreants alledge to justify the blackest of Villanies ? However these Practices brought on,

The Treaty between Great Britain and Spain, for settling Peace in America, concluded at Madrid, July 8. 1670.

I. IT is agreed, that the Articles of Peace and Alliance made between the

the Crowns of *Great Britain* and *Spain* at *Madrid*, May $\frac{1}{3}$, 1667, shall continue in their full Force.

II. That there shall be an universal Peace and sincere Friendship, as well in *America*, as in other parts, between the Kings of *Great Britain* and *Spain*, their Heirs and Successors, their Kingdoms, Plantations, &c.

III. That all Hostilities, Depredations, &c. shall cease between the Subjects of the said Kings.

IV. The two Kings shall take Care that their Subjects forbear all Acts of Hostility, and call in all Commissions, Letters of Marque and Reprizals, &c. and punish all Offenders, obliging them to make Reparation.

V. The said Kings renounce all Leagues, Confederacies, &c. which are to the Prejudice of one another, or may be repugnant to this Treaty.

VI. Prisoners on both sides shall be set free without Ransom.

VII. All Injuries receiv'd on both sides shall be bury'd in Oblivion.

VIII. The King of *Great Britain* shall hold and enjoy all the Lands, Countries, &c. he is now possess'd of in *America*.

IX. The Subjects on each side shall forbear trading or sailing to any places whatsoever

soever under the Dominion of the other, without particular License.

X. If the Subjects of either King be forc'd by Storm, or otherwise, into the Ports, Roads, &c. of the other, they shall be treated with all Civility, and allow'd to buy Provisions and Necessaries at reasonable Rates, and no way molested, or retarded.

XI. If the Vessels belonging to either King, or their Subjects, shall happen to be shipwreck'd within the Dominions of the other, the Men shall have all manner of Succour and Assistance, and Passes granted to return into their Country.

XII. If so many Ships of either Party be forc'd by Storm, or otherwise, into the Ports of the other, as may give grounds of suspicion, they are presently to acquaint the Governour, or Chief Magistrate, with the occasion of their coming, and to stay no longer than he shall give Leave, or shall be necessary to supply themselves with Provisions, or refit their Ships; and ever to forbear exposing any Goods to Sale, or receiving any Aboard.

XIII. Both Parties are punctually to observe this Treaty.

XIV. Particular Offences shall be repair'd in the common Course of Justice, and no Reprisals made unless that be deny'd, or unreasonably retarded.

XV.

XV. This Treaty shall no way derogate from any Preheminence, Right, or Sovereignty, which either King has in the Seas, Streights, or fresh Waters of *America*.

XVI. The Ratifications of this Treaty shall be deliver'd within four Months after the signing.

The Peace given to *Europe* by the Treaty of *Aix-la-Chapelle*, lasted no longer than till the Year 1672, when *Charles II.* King of *England* declar'd War against *Holland*, on Account of many Breaches of Faith relating to the *Treaties* he had concluded with them, Wrongs done to his Subjects, the infamous Medals and Pictures by them put out, reflecting on his Majesty, and lastly, for their refusing the Right of the Flag, or striking their Colours to the *English* Ships of War. *France* was now enter'd into a League with *England*, and sent a Squadron to join the *English* Fleet, which after an obstinate Fight drove the *Dutch* Fleet back upon their own Coast; but the Success of the *French* by Land was much more considerable; for they possess'd themselves of 40 Towns in 22 Days, advancing within four Leagues of *Rotterdam*, and not above the same distance from *Amsterdam*, which put all those Provinces

vinces into such Confusion, that in some places they cut their Dikes, and drowned the Country, and every where the Rabble mutiny'd against the Magistrates. The next Year 1672, there were three Engagements at Sea between the *English* and *Dutch* Fleets; from all which the latter retreated to their Sands, and yet made Rejoycings for Victory; whereas, had the *English* rightly improv'd their Advantages, the *Dutch* Boasts might have been utterly disappointed. The *French* made better use of their Time by Land; for whilst Marshal *Turenne* drove the *Imperialists* and *Brandenburgers* beyond the *Elb*, obliging that Elector to sue for Peace, the King in Person took the strong Town of *Maestrich*.

This Year the Emperor enter'd into an Alliance with the *Dutch*, for their Support, by which he oblig'd himself to send 30000 Men to the *Rhine*, towards the Payment and Recruiting of which the *States* were to pay 45000 Rixdollars Monthly, till a Peace were concluded, and if necessary, those Forces to be augmented, and the Subsidies proportionably. The *States*, by way of Advance, to pay 100000 Rixdollars at *Frankfort*, or *Hamburg*, out of the said Subsidies. If the Emperor should be invaded by the *Turk*,
he

he might recall as many of the aforeſaid Troops as he had occaſion for, and the Subſidies to be leſſen'd proportionably. The Treaty for reſtoring the Duke of *Lorain* to his Dominions, to be jointly purſu'd. The King of *Spain* to be comprehended in this Treaty. Purſuant to this Agreement, the ſaid King of *Spain* about the end of this Year declar'd War againſt *France*.

In 1674, a Peace was concluded between *England* and *Holland*, and proclaim'd at *London*, on the 28th of *February*. The Principle Articles thereof were, 1. The *Dutch* agreed to the Rights of the Flag to be paid to all the King's Ships. 2. Related to ſetting of Trade in the *West-Indies*. 3. Concerning the Colony of *Surinam*. 4. Both Sides to reſtore all Places taken, during the War. 5. The States to pay the King 800000 Patacoons. *Spain* having now enter'd into War with *France*, the *French* Forces poſſeſs'd themſelves of all the *Franche Comte*, routed the *Germans* at *Sintzheim*, *Ladenburg*, and *Enſheim*, and the *Dutch* and *Spaniards* at *Senef*; but ſome will not allow the *French* this laſt Victory, becauſe the *Dutch* rally'd at the Village of *Fay*, and Night parted the two Armies; but the *French* took 107 Colours and Standards, and again oblig'd the ſame Army to raiſe the Siege they had laid to *Oudenard*. The
Year

Year 1675, began with driving of the *German* Army, which had taken Quarters in *Alsace*, beyond the *Rhine*, by the *French*, who towards the *Low-Countries* took *Huy*, *Dinant*, and *Limburg*, as they did *Ampurias*, *Bellegarde*, and several Places of less note in *Catalonia*. But just at the end of the Year, a Treaty of Peace was set on Foot at *Nimiguen*, between all the Parties engag'd in the War, by the Mediation of the Kings of *England* and *Sweden*. Notwithstanding this Treaty, the War was carried on in 1676 with the utmost Vigour. The *Dutch* Fleet was twice beaten near *Sicily* by the *French*, who in the *Netherlands* took *Conde*, *Bouchain*, and *Aire*, and oblig'd the Prince of *Orange* to raise the Seige he had laid to *Mae-strick*. Nor did the Year 1677 put an end to the War, or prove less successfull to *France*, whose Forces routed the Prince of *Orange* at *Cassel*, took *Valenciennes*, *Cambray*, *St. Omer*, and *St. Guislain*, and rais'd the Siege laid by the Prince of *Orange* to *Charleroy*, in the *Low-Countries*, defeated the Duke of *Lorain*, and took *Friburg* in *Germany*, and overthrew the Count de *Monte-rey* in *Catalonia*. The Year 1678 began with the taking of *Gant* by the most Christian King in Person, who soon after made himself Master of *Ypres*, and his Garrison at *Mae-strick* surpris'd the importance Place of

of *Lewe* ; in *Germany* his Troops possess'd themselves of *Ortemburg*, and *Fort Kell*, and forc'd the Duke of *Lorain* to repass the *Rhine*. These mighty Successes oblig'd the Confederate Powers to accept of such a Peace as *France* would grant, the *Dutch* shifting for themselves first, and making a separate Peace, which put a necessity upon *Spain* of following their Example, and the Emperor thus left alone, could do no less than submit. We shall give the three several Treaties in the same order as they were sign'd ; but must first premise four others which were something antecedent, the three latter whereof were introductory to those at *Nimiguen*. The first of the four is, a Treaty of Commerce, between *France* and *England*, concluded *February 24. 1677*, the Articles whereof are exactly the same with those of the Treaty of the same Nature between King *Charles the II. of England* and the States of *Holland*, in the Year *1668*, which may be seen in it's Place that Year, and therefore it is thought needless to repeat the same Articles, now sign'd between *France* and *England*. Next follows,

The

The Treaty of defensive Alliance. between Charles II. King of England, and the United Provinces of the Low-Countries, concluded at the Hague, January 10. 1678.

I. **T**HE King of Great Britain and the States General shall mutually defend one another, in such a manner, as the two neighbouring Kings may be brought to conclude a Peace on these Terms.

The Towns and Places of *Charleroy, Aeth, Oudenard, Courtray, Tournay, Conde, Valenciennes* and *St. Guislain*, with others taken since *St. Guislain*, shall be restor'd to the Catholick King. The County of *Burgundy* shall remain to *France*, but all Places in *Sicily* shall be restor'd. Every thing in *Europe* shall be restor'd between *France* and the *United Provinces*. As to the Emperor, the adjusting of that matter, is put off till farther Instructions. The Duke of *Lorain* shall be restor'd to his Dutchy. As to *Sweden*, there shall be a Cessation of Arms, till the Terms of Peace are agreed on.

II. The King of Great Britain shall endeavour to perswade his most Christian Majesty to consent to a Peace, upon the aforesaid Conditions.

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III.

III. As also to consent to a Cessation of Arms for Three Months.

IV. The King of *Great Britain* also shall endeavour to prevail upon his Catholick Majesty to acquiesce to the said Conditions.

V. If the most Christian King shall comply, and not his Catholick Majesty, yet the former shall not proceed by Force of Arms, but the King of *Great Britain* takes upon him to oblige the latter to accept of the said Terms.

VI. The States shall be oblig'd to all that the King of *Great Britain* shall promise to his most Christian Majesty.

VII. The said King and States shall both use their Endeavours to procure the Consent of his Catholick Majesty.

VIII. If the most Christian King shall refuse to consent, they shall both use their utmost Endeavours to bring him to a Compliance.

IX. The States shall use all Endeavours to procure the King of *Spain's* Consent.

X. When the Peace is made between *France* and *Spain*, the King of *Great Britain* and the States, shall be Guarantees thereof, with all other Princes who shall think fit, and the number of Troops ascertain'd to be us'd against the Infringer.

XI. The said King and States do ingage to defend all the Confederates.

XII.

XII. These Articles shall be ratify'd within four Weeks.

The Appurtenances, Dependences, &c. of the Towns mention'd in the Treaty, to be restor'd to *Spain*, not being specify'd there, as also the Dutchy of *Limburg* and Town of *Binch* being omitted, it is declar'd, that they are all to be comprehend- ed in the Restitution.

Separate Article.

The King of *Great Britain* shall do his utmost that the Dutchy of *Lorain* be restor'd to the Duke; with the Fortifications in the State they are now ; but if this can not be obtain'd, in the Condition they were found when taken. Any thing the most Christian King is possess'd of without the *Netherlands*, shall remain in his Hands, by way of Caution and Security, till the Articles of Peace be concluded with *Sweden*.

A Treaty of defensive Alliance between Charles II. King of England and the States, concluded at Westminster, March 3d. 1671.

I. **T**Here shall be sincere Friendship, &c. between the King and States.

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II. There

II. There shall be a strict Alliance, &c. between the said King and States for the mutual Support of each other in Peace.

III. They promise and oblige themselves to be mutual Guarantees of all Treaties that shall be produc'd before the Ratifications are exchange'd, and of all others they shall make jointly, and to defend one anothers Territories if attack'd.

IV. The mutual Obligation of assisting and defending one another, extends to the maintainance of all their Rights, &c. both by Sea and Land.

V. The Party not attack'd, shall break with the Aggressor within two Months after the Rupture; using all means to bring things to an Accommodation.

VI. If the States be attack'd, his *Britannick* Majesty shall make use of all his Power by Sea and Land, to bring the Aggressor to Reason.

VII. The Forces of the King and States shall act jointly, or separately, as shall be concerted between them to annoy the common Enemy.

VIII. The States are to perform the same in case the King of *Great Britain* be attack'd.

IX. When the two Allies are once in open War, according to this Treaty, it shall not be Lawful for either to come to
any

any Cessation of Arms with the Enemy, without it be done conjointly.

X. No Treaty shall be begun by one of the Allies, without the Concurrence of the other ; nor Peace or Truce made by the one, without comprehending his Ally.

XI. The Ally who is attack'd, may raise Forces in the Territories of the other.

XII. The Ratifications to be exchange'd within four Weeks.

Separate Articles.

I. When the States are attack'd, his *Britannick* Majesty shall assist them with 10000 Foot, and the States, his Majesty with 6000 Foot well arm'd ; and with 20 Men of War well fitted, &c. which Auxiliaries to be maintain'd at the Expence of him that sends them.

II. If a greater number of Auxiliaries be requisite, it shall be settled to mutual Satisfaction.

III. The Auxiliaries shall be subject to the Commands of the Party to whom they are sent.

A Treaty of Alliance between Charles II. King of Great Britain and the States of Holland ; concluded at the Hague, July 26. 1678.

THE French Plenipotentiaries at *Ni-
megen*, when all Articles were agreed on, denying that the most Christian King should restore the Places therein specify'd to the Catholick King and States, till the King of *Sweden* had full Satisfaction; the King of *Great Britain* and the States thinking this unreasonable, resolv'd to enter into a War against the said most Christian King, unless he could be brought before the 11th of *August*, to promise to restore the said Places immediately after the Ratification of the Peace, and to perform all Points as specify'd in the Treaty of *July 26. 1678*, (which see above.) If he shall not comply to the said Terms, it is agreed between the King of *Great Britain* and the States,

I. That they will use all their Endeavours to bring the most Christian King, to give his Consent to the Articles of Peace; and will never conclude a Peace with him, till he agrees to the said Terms, or such others as the King of *Great Britain* and the

the States shall by common Consent agree to.

II. That they will so act with all their united Force, that the said Articles may be consented to ; and to this end his Majesty shall furnish one third more by Sea than the States, and they one third more by Land than his Majesty, till such time as the Confederates engag'd shall more compleatly unite their Strength.

III If the War break out between their most Christian and *Britanick* Majesties, it shall not be Lawful for any of the Confederates to make a Suspension of Arms, without mutual Consent of the Parties.

IV. If the Treaty of *Nimeguen* should break up, no new Treaty shall be set on foot without all Parties be admitted, and fully inform'd of all that is transacted, and no Peace or Truce concluded without securing the Rights of all Parties.

V. If a Peace be agreed on between the most Christian and Catholick Kings and the States General, the King of *Great Britain* and the States shall be Guarantees for the same, as also all other Princes that shall think fit to come in ; and the number of Forces, &c. adjusted between the said King and States, that each Party shall furnish against the Infringer of the Peace.

VI. The Ratifications of this Treaty to be exchange'd in three Weeks. *The*

*The Treaty of Peace betwixt France
and Holland, concluded at Nime-
guen, August 10. 1678.*

I. **T**Here shall be a good, firm, and
inviolable Peace betwixt his most
Christian Majesty and the States, &c.

II. If any Prizes shall be taken on ei-
ther side, four Weeks after the Publication
of the Peace, in the *Baltick*, or North
Sea, from *Newfoundland* to the Channels
Mouth; within the space of six Weeks after
the said Publication, from the Channel to
Cape St. Vincent; ten Weeks after it in
the *Mediterranean*, and as far as the Equi-
noctial; and eight Months after it beyond
the Line, they shall be restor'd, with Re-
compence for Damages.

III. There shall be perpetual Friendship
between the said King and States, and
their Subjects, and no resenting of Dama-
ges, or Offences, during the War.

IV. They shall procure one another's
Good, and not consent to any Treaties to
the Damage of each other.

V. Estates seiz'd and confiscated on Ac-
count of the War to be restor'd.

VI. The Count d' *Auvergne* to be re-
stor'd to the Marquisate of *Bergenopzome*,
with

with all its Rights, the same being confiscated by the States for his being in the *French Service*.

VII. Each side to hold all it is now possess'd of within or without *Europe*.

VIII. But his most Christian Majesty to restore *Maestrich*, with all its Dependencies.

IX. The States shall maintain the *Catholick Religion*, and the Professors of it, in *Maestrich*, according to the *Capitulation of 1632*.

X. The King may carry away from *Maestrich* all the *Artillery*, *Ammunition* and *Provisions*, and the *Garrison* their *Effects* ; but without exacting any thing from the *Inhabitants*, or doing any *Hurt*.

XI. *Prisoners of War* on both sides shall be discharg'd without *Ransom*.

XII. *Contributions* demanded by the *Governour of Maestrich* shall be payable till the *Ratification* of this *Treaty*.

XIII. The States shall not directly or indirectly assist the *Enemies of France*, or its *Allies* ; and shall be *Guarantees* for all *Engagements Spain* shall enter into with his most *Christian Majesty*.

XIV. If through *Inadvertency*, or otherwise, there be any want in the *Observance* of this *Treaty*, it shall be repair'd, without any *Breach of Friendship*.

XV.

XV. If any Breach should happen between *France* and *Holland*, the Subjects on both sides shall have six Months to withdraw themselves and their Effects.

XVI. As for what concerns the Prince of *Orange*, all that is contain'd in a Writing made particularly relating to his Interests, shall be observ'd as if inserted word for word in this Treaty.

XVII. The King of *Great Britain* shall be comprehended in this Treaty.

XVIII. & XIX. Contain the Princes and States admitted to this Treaty.

XX. The King of *Great Britain*, and such others as shall think fit, may be Guarantees of this Treaty.

XXI. The Ratifications shall be exchange'd within six Weeks.

The separate Article, concerning the Prince of Orange.

The Principality of *Orange* shall, immediately after the Ratification of this Treaty, be restor'd to the Prince of *Orange*, with all other Lands belonging to him in *France*, and other Countries under his Majesty's Subjection.

The

*The Treaty of Commerce betwixt
France and Holland, concluded at
Nimeguen, August 10. 1678.*

I. **T**HE Subjects on both sides shall enjoy the same Liberty, as before the War.

II. All Hostilities shall cease, and neither side to take Commissions as Privateers, or Letters of Reprisal from any Princes, or States, at Enmity with the other.

III. This is the same with the second Article in the Treaty of Peace above.

IV. All former Letters of Mart and Reprisal are declar'd void.

V. The Subjects on neither side, nor their Goods, shall not be lyable to Arrests and Seizures, for Debts owing by the King and States.

VI. The Subjects on both sides shall live in Friendship, and enjoy all Liberty in Commerce and Navigation.

VII. The Subjects on both sides shall pay no other Duties in one another's Dominions than the Natives do.

VIII. Ships of War belonging to either Party shall have free access into the Ports, Harbours, &c. of the other.

IX. Ships of War on either side may conduct

conduct the Prizes they take from their Enemies, where they think good, without being ty'd to any Duties, or be lyable to be stopp'd, or to give any Account of the Value of the said Prizes. But neither side shall give Refuge in their Ports to such as shall have taken any Prizes from the other.

X. The Subjects of each Party shall, in the Dominions of the other, be exempted from the Law of *Aubain*, by which the Goods of Foreigners dying, escheat to the Crown; but their said Goods shall pass to their Heirs either by Will, Deed, or even if they dye Intestate, without any Letters of Naturalization; but they shall be treated as Natural Born Subjects, and not lyable to such Taxes as are laid upon Strangers.

XI. Ships driven into Ports shall not be compell'd to unlade, or pay any Duties.

XII. Neither Ships, Men, nor Goods, shall be seiz'd on any pretence whatsoever.

XIII. to XXIX. These Articles are exactly the same with I. to XVII. in the Treaty of Commerce between *England* and *Holland* in 1668. See it above.

XXX. His Majesty and the States may at any time cause to be Built or Freight'd, as many Ships of War, or Trade, as they shall think fit, in one another's Countries, and buy such Quantities of Ammunition,
honestly

honestly and at reasonable Prices; ; but neither shall grant the like Permission to one another's Enemies, if they be the Aggressors.

XXXI. Ships driven by Storm, or otherwise, on the Coasts of either Ally, shall be sav'd, with all the Goods, for the Proprietors; and those punish'd who shall commit any Inhumanities in such Cases.

XXXII. Neither side shall receive any Pyrates, or Exiles, but shall cause them to be pursu'd, punish'd and driven out.

XXXIII. The Subjects on both sides, may make use of such Lawyers, Notaries, &c. as they shall think fit, who shall be appointed them by the Judges; and may keep Books of Trade in what Language they please.

XXXIV. Both Parties may settle Consuls in one another's Estates, who shall enjoy all the Priviledges belonging to their Function.

XXXV. Neither side shall suffer any Vessel, in the Service of another, to make Prize, within their Ports, &c. upon one another's Subjects; and if any such thing should happen, either Party shall procure Reparation.

XXXVI. If through Inadvertency any thing should be wanting in the Observance of this Treaty, it shall not cause a Breach,
but

but Reparation shall be made for the Contravention.

XXXVII. If any Breach shall happen between *Frante* and *Holland*, nine Months shall be allow'd the Subjects of each Party to retire and withdraw their Effects.

XXXVIII. This Treaty shall be in Force 25 Years from the Day of Signing, and the Ratifications shall be exchange'd within 6 Weeks.

Separate Article.

The Equality to be observ'd in relation to the Subjects of each Nation as to Duties, &c. according to the 7th Article of this Treaty, shall not derogate from the Imposition of 50 Sols *per Ton*, impos'd in *France* upon the Ships of Strangers, but the Subjects of the States shall pay the same as well as other Strangers; but it shall be only once in each Voyage; and the said Ships, if laden with Salt, shall pay but half the said 50 Sols. The States may lay the like Imposition on Strangers Ships, but must not exceed.

*The Treaty of Peace between France
and Spain ; concluded at Nime-
guen, September 17. 1678.*

I. **I**T is agreed, that there be a firm and lasting Peace, and perpetual Alliance, between the most Christian and Catholick Kings, their Heirs, Subjects, &c.

II. The Cessation of all Hostilities sign'd the 19th of *August* shall continue ; and if any thing contrary shall happen, Reparation shall be made.

III. All that has been done during this War, shall be bury'd in perpetual Oblivion.

IV. The most Christian King shall restore to his Catholick Majesty the Fortresses of *Charleroy*, the Towns of *Binch*, *Ath*, *Oudenard* and *Courtray*, with all their Dependences, excepting the *Verge* of *Menin* and the Town of *Conde*.

V. The most Christian King promises also to restore the Town and Dutchy of *Limburg*, with its Dependences, the Country beyond the *Maese*, the Town and Citadel of *Gent*, *Fort Rodenhers*, the Land of *Waes*, the Town of *Lewe*, and that of *St. Guislain*, the Fortifications whereof shall be raz'd ; as also the Town of *Puicerda*
in

in *Catalonia*, with all their Dependences.

VI. The Places above-mention'd shall remain to his Catholick Majesty, with all their Rights, Prerogatives, &c.

VII. The most Christian and Catholick Kings shall restore to one another, whatsoever may have been taken till the proclaiming of the Peace.

VIII. The Restitution of the above-mention'd Places shall be made without any Delay, in the same Condition they now are, without making any Demands for Fortification, or otherwise.

IX. All Judgments given, and other Proceedings at Law, in the said Places under his most Christian Majesty, shall remain valid.

X. The Eastern and Western Sluces of *Newport*, and the Fort of *Vierboont*, at the end of the Western Sluce, with other parts belonging to the Fortifications of *Newport*, shall remain in the Hands of his Catholick Majesty.

XI. The most Christian King shall remain possess'd of and enjoy the County of *Burgundy*, commonly call'd *Franche Comte*, with all its Towns and Dependences, comprehending the City of *Bezancon*, as also the Towns of *Valenciennes*, *Bouchain* and *Conde*; also *Cambray* and *Cambresis*, *Aire*, *St. Omer*, *Tpres*, *Warvick*, *Warneton*, *Poperinghen*,

peringen, Bailleul, Cassel, Bavay and Maubeuge, with their Dependences.

XII. The said County of *Burgundy*, and all other places nam'd, with their Dependences, shall for ever remain to the most Christian King, his Heirs and Successors, with all their Rights, Sovereignities, &c

XIII. His Catholick Majesty obliges himself to procure from the Bishop and Chapter of *Liege*, with the Consent of the Emperor and Empire, that they shall yield up to the most Christian King the Town of *Dinant*, within a Year after the Peace shall be concluded with the Emperor ; and in case he cannot prevail to have it so yielded up, does promise to deliver to his most Christian Majesty, in lieu of it, the Town of *Charlemont*.

XIV. To prevent all Difficulties arising about Lands lying within each others Bounds, it is agreed, that all the Lands, &c. comprehended within the Provostships belonging to his most Christian Majesty beyond the *Sambre*, shall be exchang'd for others lying more conveniently for his Catholick Majesty.

XV. Commissioners shall be appointed on both sides for adjusting the said Exchange ; as also for ascertaining all Mortgages on the places restor'd.

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XVI.

XVI. If the Difficulties about the Exchange cannot be adjusted, neither side shall impose new Duties upon Goods, unless they be transported into another Dominion to be there spent, or to be sent farther off.

XVII. The said Kings may carry away all their Artillery and Ammunition from the Places they restore.

XVIII. Contributions on both sides shall continue till the 16th of *October* next, and the Arrears then due shall be paid within 3 Months.

XIX. The most Christian King shall receive all Duties in the Places he restores to the Catholick King, till the Day of the Restitution.

XX. All Papers, &c. relating to the Places restor'd, shall be deliver'd up.

XXI. All the Subjects on both sides shall be restor'd to the Estates, Dignities, &c. they possess'd before the War, which have been seiz'd on Account of the said War; but they shall claim none of the Profits during the War.

XXII. Nor any Debts, Effects, or Moveables confiscated before the proclaiming of the Peace.

XXIII. The restoring of the said Subjects on both sides shall be perform'd according to the 21st and 22d Articles, notwithstanding

withstanding any Grants, Confiscations, &c. all which shall be void. The said Persons may freely return to their Homes; or in case they should rather chuse to stay elsewhere, they may appoint any unsuspected Persons to receive their Revenues, &c.

XXIV. Such as have Benefices legally conferr'd on them on both sides, shall enjoy them for their Lives, without Prejudice to the Rights of the Patrons.

XXV. All Prelates, &c. nam'd to their Benefices, by the said Kings, before or since the War, shall enjoy the same; provided the Persons be capable and qualify'd as was requisite before the War.

XXVI. No part of the *Pyrenean Treaty* is hereby made void, excepting what relates to *Portugal*; nor the Treaty of *Aix la Chapelle*, any farther than is here specify'd.

XXVII. His Catholick Majesty promises neither directly nor indirectly, to assist his own Allies, against *France* or its Allies.

XXVIII. His *Britannick* Majesty, as Mediator, shall be included in this Treaty.

XXIX. XXX. Mention what Princes are or may be included in this Treaty.

XXXI. All Princes that please may be Guarantees of this Treaty.

XXXII. This Treaty shall be Register'd in the Parliaments of *France*, and in the Chamber of Accounts in *Paris*; as also in the Great Council, and other Councils, and Chambers of Account of his Catholick Majesty, &c.

The Treaty of Peace between the Emperor and King of France, concluded at Nimeguen, Feb. 3. 1678.

I. **T**Here shall be an universal and sincere Peace and true Friendship between their Imperial and most Christian Majesties and their Allies, &c.

II. The Treaty of *Munster* shall be the Foundation of this Treaty.

III. *Philipsburg* having been taken by the Emperor during the War, and *Friburg* by *France*, it is agreed,

IV. That his most Christian Majesty shall renounce all Pretensions to that place.

V. That the Emperor for ever quit to the most Christian King the Town of *Friburg*, with all its Dependences, Rights, &c. the Town still retaining its Privileges, and the Bishop of *Constance* his Rights.

VI. His most Christian Majesty shall at
all

all times have free Passage through the Territories of the Empire from *Brisack* to *Friburg*.

VII. The Provisions for *Friburg* shall not be lyable to any new or ancient Duties, the same from *Brisgam*; other Merchandize to pay no more than are paid by the Emperor's Subjects.

VIII. Commissioners to be appointed in a Year to consider what lawful Debts are to be paid by the Town of *Friburg*.

IX. All Papers, Records, &c. found at *Friburg* when taken, to be restor'd, unless they jointly concern the said Town of *Friburg*, and then to be kept in such Place as shall be agreed on, that authentick Copies may be had upon occasion.

X. All Persons shall have liberty in a Year to depart *Friburg*, and to carry away their Goods, or to sell either Moveables, or Immoveables.

XI. The said Town of *Friburg* may be restor'd, in Case their Majesties can agree on an Equivalent.

XII. The Duke of *Lorain* shall be restor'd to those States, Places and Goods, his Unkle possess'd in the Year 1670.

XIII. The Town of *Nancy*, with its District, shall remain for ever incorporated in the Crown of *France*, and the Duke of *Lorain* does renounce all Right to it.

XIV. For the better Communication between the said Town of *Nancy* and the Dominions of *France*, Ways half a League broad shall be mark'd out by Commissioners on both sides from *St. Didier* to *Nancy* ; from *Nancy* to *Alsatia* ; from *Nancy* to *Besanzon* in *Burgundy*, and from *Nancy* to *Metz*.

XV. All Villages, Houses, Lands, &c. with their Dependences, situate within the said Ways, shall belong to his most Christian Majesty ; but so that whatsoever is beyond them shall remain to the Duke.

XVI. The City and Provostship of *Longwick*, with its Dependences, shall for ever remain to the most Christian King, for which the King shall give the Duke another Provostship.

XVII. In Consideration for the City of *Nancy*, the King conveys to the Duke the Town, Suburbs and District of *Toul* for ever.

XVIII. In case the District of *Toul* shall be found of less Value than that of *Nancy*, the same shall be otherwise made good to the Duke.

XIX. The Right of presenting the Bishop of *Toul* shall belong to the Duke.

XX. Those who are possess'd of Benefices by the King shall not be disturb'd by the Duke.

XXI.

XXI. All Proceedings at Law under the King shall stand good.

XXII. The Deeds and Writings that were at *Nancy* and *Bar* shall be restor'd to the Duke.

XXIII. The Bishop of *Strasburg*, his Brother and Nephew, Princes of *Furstemburg*, shall be restor'd to all their Rights, Honours, Revenues, &c. the first of them to his Liberty, and all Proceedings against him be bury'd in Oblivion.

XXIV. All Subjects on both sides shall be restor'd to the Honours, Dignities, Estates, &c. which they enjoy'd before the War, or fallen to them during the same; but nothing to be demanded of the Profits during the War.

XXV. The Agreement made between the Emperor and *Sweden*, shall be look'd upon as if inserted in this Treaty.

XXVI. The Emperor and most Christian King shall use their utmost Endeavours to conclude a Peace, and to that end first a Cessation of Arms, between the said most Christian King and the King of *Sweden* on the one Part, and the King of *Denmark*, the Elector of *Brandenburg*, the Bishop of *Munster* and the Princes of *Lunenbourg*, on the other. But if their good Offices should want Effect, the Emperor and Empire shall give no Assistance, nor

Winter Quarters, to the said Enemies of *France* and *Sweden*; and the most Christian King shall be still allow'd to keep Garrisons in *Chastelet*, *Huy*, *Verviers*, *Aix la Chapelle*, *Dueren*, *Linnick*, *Nuys* and *Zons*, which Places he shall restore when the said War is ended.

XXVII. Places shall be restor'd *bona fide*, within a Month after the Ratification of the Peace, excepting those in the foregoing Article.

XXVIII. The Difference about the Castle and Dutchy of *Bouillon*, between the Bishop of *Liege* and the Dukes of *Bouillon*, shall be amicably adjusted.

XXIX. All Acts of Hostility shall cease immediately after Signing this Treaty of Peace; and if any thing be done otherwise within 14 Days, it shall be repair'd.

XXX. Contributions shall continue to be paid on both sides till the Ratifications; the Arrears be paid within 4 Months after, and Security given for the same; so that no Force shall be us'd for recovering of them.

XXXI. All things stipulated in the Treaty of *Munster*, concerning the *Montferrat*, shall remain in full Force.

XXXII. The King of *Great Britain* shall be included in this Treaty, as Mediator.

XXXIII. Those to be also comprehend-
ed,

ed, who shall be nam'd in six Months by both Parties.

XXXIV. All Princes and States may be Guarantees for the Performance of this Treaty.

XXXV. The Ratifications shall be exchange'd within 8 Weeks after Signing.

XXXVI. No Protestation, or Contradiction from the Directory of the Empire against the Subscription of this Treaty, shall be receiv'd or esteem'd valid.

Peace being thus again establish'd between the Empire, *France*, *Spain*, and *Holland*, it must be here observ'd, that the Empire sustain'd no Loss, having only exchange'd *Friburg* for *Philipsburg*; the Duke of *Lorain* gave *Nancy* for *Toul*; the *Dutch* remain'd as they were before the War; and *Spain* was the greatest Sufferer; for tho' *France* restor'd many Places, taken during this last War, as also *Charleroy*, *Binch*, *Ath*, *Oudenarde* and *Courtray*, yielded up to it by the Treaty of *Aix la Chapelle*, yet in lieu thereof it now acquir'd, for ever, the Dominion of the whole County of *Burgundy*, or *Franche Comte*, towards *Germany*; and in the *Low-Countries*, *Valenciennes*, *Bouchain*, *Conde*, *Cambrai* and *Cambresis*, *Aire*, *St. Omers*, *Ypres*, *Warwick*, *Warneton*, *Poperinghen*, *Bailleul*,
Cassel,

Cassel, Bavay and Maubeuge, with all their Dependences ; besides *Dinant* in the Bishoprick of *Liege*. These were the Advantages *France* reap'd by the Treaty of *Nimeguen*.

Let us see what were the following Pretensions of that King, by his Enemies call'd Incroachments, and manifest Breaches of the foregoing Treaties ; which, according to our first Design and Promise, we have undertaken impartially to give Account of, without entering into the Merits of the Cause.

In the Year 1680, the Emperor *Leopold* acquainted the Diet at *Ratisbon*, that the French had already contraven'd the Peace in several Particulars : 1. By continuing their Troops in the Empire. 2. By not evacuating the Places to be restor'd. 3. By extending Contributions beyond the time agreed on. 4. By obliging the ten Towns in *Alsatia*, yielded to them by the Treaty of *Munster*, to take a new Oath, pretending to Sovereignty over them, erecting a new Court of Appeals, and forbidding any Recourse to the Imperial Court at *Spire*. 5. By requiring an Oath from the Nobles and Vassals of *Alsatia*. 6. By setting up Pretensions to the Vassalage of *Metz, Toul and Verdun*, and other Imperial States and Countries. 7. By confiscating

cating the Revenues of the Chapter of *Strasburg*. 8. By making new Fortifications at *Sclestadt* and *Hunninghen*. 9. In not restoring *Montbelliard*. 10. In taking of *Homburg* and *Birsch*. And lastly, In their new Pretensions on the City of *Strasburg*. These Proceedings of the *French* the Diet declar'd were directly contrary to the Treaties of *Westphalia* and *Nimeguen*.

The *Spaniards* made no less Complaints ; as, 1. That the *French* delay'd evacuating the Towns to be restor'd. 2. That they continu'd Contributions beyond the time limited, and extended them beyond the Places which paid during the War. 3. That they had cut down vast Quantities of Wood after the Treaty was sign'd. 4. That they possess'd themselves by Force of several open Places belonging to his Catholick Majesty, as Dependences on the Places yielded up to them. 5. That they had made themselves Masters of the Province of *Luxenburg*. 6. That they had oblig'd his Catholick Majesty to yield up *Charlemont* to them two Months before the time allow'd by the Treaty to put them in possession either of that Place, or *Dinant*, at his own Choice. 7. That they had deprived his Catholick Majesty's Subjects of the Liberty of alienating their Estates,

Estates under the Dominion of *France*. These and many more were the Complaints against *France*. To particularize the Places and Lands said to be seiz'd by them, by way of Dependences and Reunions, would give the Reader little satisfaction, being most of them Villages and Castles of small note, and would swell to too great a Bulk. We will therefore proceed to what is more material.

The Year after the Treaty of *Nimeguen*, which was 1679, *Charles II.* King of *Spain* took to Wife *Mary Louisa* of *Orleans*, Daughter to the Duke of *Orleans*, by his Dutches's *Henrietta*, Sister to King *Charles II.* of *England*. This same Year the Northern Peace was concluded, the King of *Denmark*, the Elector of *Brandenburg*, and the Princes of his House, and of that of *Brunswick*, being oblig'd to restore all that they had taken from the King of *Sweden* and the Duke of *Holstein*. In 1680, the *Dauphin* married the present Duke of *Bavaria*'s Sister, *Anne Mary Christina*. In 1681, the most Christian King, having always pretended that the City of *Strasburg* as Capital of *Alsatia*, belong'd of right to him, upon the yielding up to him of that Province, made himself Master of it by Surprise, and about the same time had *Casal*, in the *Montferrat*, deliver'd to him

him by the Duke of *Mantua*. The Year 1683, the *French* Army enter'd the *Low-Countries*, on Pretence of the Dependences above mention'd, and particularly claiming the Castellanies of *Alost* and *Conintry*, which they alledg'd they had a right to by the Treaty of *Nimeguen*, and accordingly made themselves Masters of the Towns of *Courtray* and *Dixmude*; and on the side of *Germany*, to cut off the Communication between that Country and *Lorraine*, built the Town and Fortrefs of *Sar-louis*, on the River *Sare*. The following Year 1684, they took the City of *Luxemburg*. At the same time the most Christian King offer'd Terms of Peace, or a Truce for 20 Years; which last, the Emperor and the *Dutch* accepted of, and *Spain* being left to it self, was at last oblig'd to comply, upon the following Conditions.

The Articles of the Truce between France and Spain, concluded at Ratisbon; August 15. 1684.

- I. **P**Ursuant to the Truce for 20 Years, offer'd by his most Christian Majesty, all Hostilities by Sea and Land shall cease, during that time, and all things be restor'd

stor'd to the same Condition they were put into by the Treaty of *Nimeguen*, excepting what shall be otherwise order'd by this present Treaty.

II. The most Christian King shall during the said Truce, remain possess'd of *Luxemburg*, *Beaumont*, *Bouvines*, and *Chimay*, with their Dependences.

III. As soon as the Ratifications are exchange'd, his most Christian Majesty shall restore *Courtray* and *Dixmude*, demolishing the Fortifications.

IV. The said King shall also restore all Places taken by him since the 20th of *August* 1683, except the Towns of *Luxemburg*, *Beaumont*, *Bouvines*, and *Chimay*.

V. His most Christian Majesty shall after the Ratification, withdraw his Forces from the Dominions of the Catholick King, who shall also forbear all Hostilities.

VI. If any Difference shall arise about the Possession of any Place, besides those here mention'd, the Decision shall be left to the King of *Great Britain*.

VII. Contributions shall continue till the exchange of the Ratifications, and such as are then due, shall be paid within three Months, and security given for them, but no force us'd to raise them.

VIII. His most Christian Majesty shall immediately cause all Hostilities to cease.

IX. The

IX. The Treaty of *Nimeguen* shall remain in full Force, except in what is here mention'd.

X. All Princes and States that shall be willing to enter into this Treaty, may be Guarantees of it.

XI. The Ratifications shall be exchang'd within six Weeks.

Separate Article.

All the Princes and States of *Italy* shall be comprehended in this Treaty; which shall extend even to *Genoa*, yet so as that his most Christian Majesty only promises, not to block up, or any way possess himself of the City of *Genoa*, or any Place depending of it, but still reserves to himself the Power of exacting the Satisfaction he expects from the *Genoefes*.

Still we see *France* gaining by the War, and some good part of its Conquests allow'd it in every Treaty, to purchase Peace, as in this the whole Dutchy of *Luxemburg*, with this only Difference, that the Treaties of Peace yielded up Towns and Countries for ever; whereas, this being only a Truce, imply'd the Cession for no longer than the said Truce was to last. Whilst this Truce is observ'd, at least, in outward Appearance, let us see,

The

The Treaty of Peace, good Correspondence, and Neutrality, in America, between the two Kings, James II. of England, and Lewis XIV. of France, concluded Nov. 16. 1686.

I. **I**T is agreed, that there be a firm Peace, Reunion and Amity, between the *British* and *French* Nations.

II. That no Ships on either side be fitted out to attack the Dominions of the other.

III. That no Soldiers, or Inhabitants of the English or French Dominions, or others coming out of *Europe*, shall commit any Hostilities, or any way assist the *Indians*.

IV. That both Kings shall enjoy all the Rights, &c. they are now possess'd of in *America*.

V. That the Subjects of neither, shall trade, Fish, &c. within the Precincts of the other; and if any Ship be found so doing, it shall be confiscated.

VI. Ships of either Prince drove into the Ports of the other, by stress of Weather or otherwise, shall be kindly treated.

VII. Ships happening to be wreck'd, or endanger'd, shall receive all friendly Assistance.

VIII. If

VIII. If so many Ships be drove into a Port as may give suspicion, they shall immediately acquaint the Governour, or chief Magistrate, with the Cause of their coming, and stay no longer than the said Governour, or Magistrate, will allow, and shall be requisite for supplying themselves with Provisions, and refitting.

IX The King of *Great Britain's* Subjects, inhabiting the Island of *St. Christopher*, may fetch Salt from the Saltpits; and those of the most Christian King may fetch Water from the Rivers of the great Road; but both shall do it in the Day time, and give Notice of their coming by firing three Guns; but if either Traffick, under pretence of fetching Salt or Water, the Ship shall be forfeited.

X. Neither side shall harbour the wild Natives, or the Slaves or Goods, taken by them from the Subjects of either Nation.

XI. The Subjects of neither Prince shall disturb the Subjects of the other in settling Colonies, or in their Commerce.

XII. All Commanders of Ships shall be enjoind not to do any Injury to the other side.

XIII. To this end the Commanders of Privateers shall give 1500 *l.* Security.

XIV. Neither side shall protect Pyrates,

but both be oblig'd to punish them.

XV. No Subject of either King shall take Commission, or Letters of Mart, from any Prince at War with the other, under Penalty of being punish'd as a Pyrate

XVI. The most Christian King's Subjects shall have Liberty to take Tortoises in the Island of *Caymanes*.

XVII. Differences between the Subjects of the two Kings to be amicably adjusted.

XVIII. If any Breach should happen between the two Kings in *Europe*, yet no Hostilities shall be committed in *America*.

XIX. This Treaty shall not derogate from the Peace concluded at *Breda*, in 1667.

XX. All Treaties concluded heretofore between the two Nations in *America* to remain in Force.

XXI. This Treaty to be ratify'd within two Months, and publish'd in all places in *America*, and elsewhere, within 8 Months.

The twenty Years Truce above-mention'd lasted but four, that is till 1688, when the Revolution in *England* plac'd the Prince of *Orange* on the Throne by the Name of King *William III.* and put an End to the Peace *Europe* enjoy'd. Each Party charg'd the other, as is usual upon
such

such Occasions, with being the Occasion of the War. The Empire, *Spain* and *Holland*, were enter'd into a strict Alliance, and promoted the coming over of the Prince of *Orange*, being convinc'd that King *James* could not be brought over to join with them against *France*. The Incroachments above-mention'd were alledg'd as the Reason of Confederating against that Nation. Besides the *Dutch* complain'd of being disturb'd in their Commerce, the Empire of the *French* Pretensions in the *Palatinate*, and *Spain* of many Infractions in the *Low-Countries*. *France* began the War by the Siege of *Philipsburg*, which the Emperor and his Allies represented in the most heinous manner, whilst the most Christian King endeavour'd to justify himself by alledging, That he had only diverted the Storm which was going to fall upon himself : That it was notorious the said Potentates were actually combin'd against him, and only expected the settling of the Prince of *Orange*, the better to invade him on all sides : That they had refus'd to do him Justice as to the Pretensions of the *Dutch*es of *Orleans* in the *Palatinate* : That they had wrong'd Cardinal *Furstemberg*, who as Coadjutor to the late Bishop of *Cologne*, ought to have succeeded in that

Electorate : And to conclude, that tho' in outward Appearance he seem'd to be the Aggressor, he only warded off the Stroke that was levell'd at him. Whilst both sides thus asserted the Justice of their Cause, *Philipsburg* was taken, and after it *Frankendal*, *Manheim*, *Heidelberg*, *Phorzeim*, *Hailbron*, *Creutzack*, *Wormes* and *Mentz*, at the close of the Year 1688. The ensuing Year began with several Treaties, which we shall here insert in order.

The Treaty between William and Mary, King and Queen of Great Britain, and the States, concerning fitting out a Fleet, concluded April 29. 1689.

I. **T**Heir Majesties shall fit out 50 large Men of War, 15 Frigats, and 8 Fireships, in which shall be 15500 effective Men.

II. The States shall furnish 30 great Men of War, 9 Frigats and 4 Fireships, all of them carrying 10572 effective Men.

III. These Fleets to join where the said King shall appoint.

IV. The said Fleets shall be divided into three Squadrons ; one of 50 great Ships,

Ships, 6 Frigats and 8 Fireships for the *Mediterranean*; another of 30 great-Ships, 8 Frigats and 4 Fireships, for the *Irish Seas and Channel*; and the third of 6 Frigats, betwixt *Calais* and *Dover*.

V. Each Squadron to consist of Ships of both Nations proportionably.

VI. Each Squadron shall be furnish'd with all Necessaries for a Year.

VII. Each of these Squadrons shall be commanded by the Admiral of their Majesties Fleet.

VIII. Councils of War shall consist of Officers of both Nations, and all things be carry'd by Plurality of Votes.

IX. Proceedings against Officers, Soldiers, or Seamen, shall be by those of their own Nation.

X But if the Procefs shall be on Account of the Officers, Soldiers or Seamen, being concern'd one against another, then the Council of War shall consist of Officers of both Nations, as above.

XI. Prizes shall be divided between the two Fleets, in proportion to their number.

XII. Prizes shall be adjudg'd by the Admiralty, to which the Men of War that took them does belong

XIII. If both sides be concern'd in taking, they shall be condemn'd by the Admiralty on which the Ships that have most Guns do depend.

M 3

XIV.

XIV. The Captains of Men of War on both sides shall have Orders to convoy and protect the Ships of the other Party, and to succour their Plantations in the *West-Indies*, if there be occasion.

XV. This Treaty shall be ratify'd in six Weeks.

The Grand Alliance betwixt the Emperor and the States, concluded at Vienna, May 12. 1689. into which King William of England enter'd December 9. 1689.

IT is first declar'd, that the Treaty some time since concluded at the *Hague*, betwixt the Emperor and the States, shall remain in its full Vigour; and that this is only to strengthen the same Alliance against *France*.

I. There shall be perpetual and inviolable Friendship between the Emperor and the States.

II. Both Parties shall engage with all their Forces against *France* and its Allies.

III. Neither Party shall make Peace, or treat with *France*, without the other.

IV. No Peace shall be concluded before those of *Westphalia*, *Osnabrug*, *Munster*, and the *Pyrenees* are vindicated.

V.

V. All things transacted in a Treaty of Peace shall be communicated.

VI. After a Peace concluded there shall remain a perpetual defensive Alliance between the Emperor and the States.

VII. If *France* should attack either after a Peace, they shall be oblig'd to assist one another.

VIII. They shall defend the Rights of each other against all Attempts of *France*.

IX. If any Controversy should arise between the contracting Parties, it shall be amicably adjusted, without Force.

X. *Spain* and *England* shall be invited into this Treaty, and all others admitted which either Party shall think fit.

XI. This Treaty shall be ratify'd by both sides within six Weeks.

King *William* accordingly enter'd into this Treaty, *December 9. 1689.*

Separate Articles.

France having declar'd that in Case the King of *Spain* should dye without Issue, they will assert the *Dauphin's* Right to that Crown, notwithstanding the Renunciation ;

I. The States do promise in that Case to assist the Emperor, or his Heirs, in taking the Succession of that Monarchy.

II. They will use their utmost Endeavours that *Joseph* King of *Hungary*, the Emperor's Eldest Son, may be Chosen Emperor.

These Articles ratify'd in the same manner as the Treaty.

The Prohibition of Commerce with France, agreed on between King William of England and the States, August 22. 1689.

I. **I**T is agreed, that neither the Subjects of the King or States shall be allow'd to trade with the Subjects of the most Christian King in their own, or the Ships of any other Country; nor import into their own or other Countries, any Produce of the said King's Dominions; or carry into his said Dominions any Merchandize whatsoever, under pain of forfeiting the same and the Vessels.

II. If the Subjects of any other King, Prince, or State, shall have any Commerce with the Subjects of the said most Christian King, their Ships taken shall be condemn'd as Lawful Prize.

III. Notice hereof shall be given to the said Kings, Princes and States; and the
Ships

(169)

Ships of their Subjects, met with before the Notification, trading to, or from *France*, shall be oblig'd to turn back ; and after the said Notification, they shall be forfeited.

Secret Article.

Notice shall be given of this Treaty to all Ministers of Kings, Princes and Potentates ; and in Case either be molested by reason of the Execution of it, the King and States are to be Guarantee for one another.

A Treaty of Alliance between King William of England, and the States, August, 1689.

I. **T** Here shall be sincere and perpetual Friendship between the King and States.

II. To this end the following Treaties are approv'd and confirm'd, *viz.* that of *Breda*, July, 1667 ; those of Commerce at the same Time and Place ; that at *Westminster*, February $7\frac{2}{9}$. 167 $\frac{1}{4}$; that at *London*, October 10. 1679 ; an Article for composing Disputes between the *East-India* Companies, concluded at *London*, March $1\frac{1}{2}$. 167 $\frac{1}{4}$;

167²; the defensive League at *London*, *March 3. 167²*; that about the Fleets of *England and Holland*, *April 29. 1689*; that for prohibiting Commerce with *France*, *August 1st. 1689*.

III. There shall be a strict Alliance between the King and States for the supporting of each other in their Rights, &c.

IV. Neither the King nor States shall make any Peace, Truce, or Suspension of Arms, with the most Christian King, without the Consent of the other.

V. If after a Peace concluded with the most Christian King, either Party should be attack'd by him, then the Treaty of Alliance and Guaranty, concluded at *Westminster, March 3. 167²*, shall subsist in the full extent of it.

VI. This Treaty shall be ratify'd within six Weeks.

These were the Treaties on which the Grand Alliance against *France* was establish'd, and the Power of the Empire, *Spain, England and Holland*, united. This Year 1689, the *French* took *Campredon* in *Catalonia*. In *Germany*, the Duke of *Lorraine* with the Imperial Army, after a bloody Siege, took *Mentz* from them, whilst they ravag'd all the *Palatinate*, and he with the Elector of *Brandenburg* again made

made himself Master of *Bonne*, the first of them having before taken *Kyfferswaert*. In *Flanders* nothing hapned considerable, except the Action at *Walcourt*, where the *French* were worsted. The ensuing Year 1690, produc'd a new War, the Duke of *Savoy* having before privately enter'd into the Confederacy, which yet was not publicly own'd till this Year, when the following Treaties appear'd.

The Treaty between the Emperor and the Duke of Savoy, in 1690.

I. **H**IS Royal Highness engages not to enter into any Treaty of Alliance with the most Christian King, without the consent of the Emperor.

II. He shall act by joint consent with the Emperor, and the other Confederate Princes.

III. He shall employ his Forces with those of the Confederates against *France*.

The Emperor Promises,

I. Not to enter into any Treaty with *France*, without his Royal Highness's

II. To take care that the Forces of *Milan*

shall be employ'd for the Preservation of his Territories, and the *Spanish* Fleet to secure *Nice*.

III. To send 6000 Men to join the Duke's Forces, and pay them himself.

IV. To endeavour that the *Vandois* and *French* Exiles, and 8000 Men promised by *Spain*, shall join the Duke's Forces.

V. To endeavour with the Confederates, that *Pignerol* shall be restor'd to the Duke, and to renounce himself any Claim to *Montferrat*.

VI. and Lastly, To lay no Claim to any thing that shall be won in *France*.

The Treaty between the King of Spain and the Duke of Savoy ; concluded at Milan, June 3d. 1690.

I. **T**Here shall be a strict defensive Alliance between the King of *Spain* and the Duke of *Savoy*, and neither shall enter into any Treaty with *France* without the Consent of the other.

II. There shall be neither Peace, or Truce, unless what may have been conquer'd by the Enemy in the *Milanese* or *Savoy* be restor'd.

III. Both Parties oblige themselves to assist

assist each other, as they would their own.

IV. The King of *Spain* shall furnish 8000 Horse, and 8 or 9000 Foot.

V. The said Army shall have 12 Pieces of Cannon, with all Necessaries at the King's Expence.

VI. His Highness to join that Army at *Vercell* with 4 Regiments of Foot and 2 of Dragoons.

VII. These Forces shall march towards *Turin*, and be join'd by 2 Regiments more of Foot and 400 Horse of the Duke's.

VIII. If *Turin*, or any other Place be besieg'd, this Army shall relieve it.

IX. If the Enemy meet this Army, the Duke's Forces shall march to their Assistance.

X. If the Enemy should march towards *Milan*, the Duke shall send his Forces to defend that State.

XI, XII and XIII. Both sides shall be furnish'd for Mony with Necessaries in one another's Dominions.

XIV. Forage shall be indifferently taken in the Field, wheresoever the Army is.

XV. This Alliance being only defensive, when the *French* begin Hostilities in the *Milanese* or *Savoy*, it shall be chang'd into an Offensive Alliance. In case *Pignerol* or *Casal* should be taken from the *French*, the first shall be deliver'd to the Duke, and the latter to the *Spaniards*. XVI.

XVI. If there shall be any thing gain'd from the Enemy, where the Duke has any Right, it shall be parted by halves.

The most Christian King having certain Intelligence of these Treaties long before, sent Marshal *Catinat* with an Army into *Piemont*, who giving the Duke Battle at *Staffard*, gain'd a compleat Victory, subdu'd almost all *Savoy*, and took the City of *Susa*. The Campaign in *Germany* was altogether unactive, but in the *Low-Countries*, the Marshal *de Luxemburg* gave Prince *Waldeck* a great Overthrow. In 1691, the French took the City of *Nice* and Town of *Villa Franca*, belonging to the Duke of *Savoy*, as also *Carmagnola* in *Piemont*, and *Montmelian* in *Savoy*; in the *Low-Countries* they possess'd themselves of *Mons*, and worsted the Confederates at *Lewze*; but in *Germany* and *Catalonia*, the Actions were inconsiderable. *Franca* sustain'd a mighty Loss in the burning of their Men of War at *la Hogue* in 1692, and had little to comfort them after it, but the taking of *Namure* in *Flanders* and defeating the Confederates at *Steenkirk*; for the Duke of *Savoy* enter'd *Dauphine*, and meeting with no Army to oppose him, rang'd about, destroying that open Country with as much Cruelty as ever was charg'd upon the

the *French*. The Year 1693 prov'd more unfortunate to the Allies, the *French* Arms being every where successfull; for at Sea they took and destroy'd above 80 Ships of a numerous and Rich Fleet Homeward bound from the *Streights*; routed the Confederates at *Landen*, and took *Furnes*, *Dixmude*, *Huy* and *Charleroy* in the *Netherlands*; *Heidelberg* in the *Palatinate*; *Roses* in *Catalonia*, and defeated the Duke of *Savoy* at *Marsaille*. In 1694, the *French* overthrew the *Spanish* Army at the River *Ter*, in *Catalonia*, and possess'd themselves of *Palamos*, *Girona*, *Ostetric*, and other Places of less Note; they defeated the *English*, making a Descent near *Brest*; but in *Flanders* they were so far from gaining any Ground, that they lost *Huy*; in *Germany* no Action hapned, and as little on the side of *Savoy*. 1695 was the most signal Year for Success to the Confederates in *Flanders*, for they retook the strong City of *Namur*; all the *French* could do in Revenge, being to possess themselves of *Dixmude* and *Deinse*, and to bombard *Brussels*. The Duke of *Savoy* was no less fortunate in reducing of *Casal*; but *Catalonia* and the *Rhine* afforded nothing of Moment. The Year 1696 was not so remarkable for any Actions as for the separate Peace concluded between *France* and *Savoy*, on the following Conditions.

The

The Treaty of Peace between Lewis XIV. King of France, and Victor Amadeus II. Duke of Savoy, concluded at Turin, August 29. 1696.

I. **T**Here shall be a sincere Peace between the King and the Duke of *Savoy*, who shall renounce all Treaties with the Emperor and other Confederates, and use all his Endeavours to obtain of them a Neutrality for *Italy* till a general Peace be concluded, and that they withdraw all their Forces out of *Italy*; and in case they do not withdraw their said Forces, the said Duke shall join his Troops with the King's to make War in the State of *Milan*. His Majesty in return, promises to restore to him *Pignerol*, *Fort St. Briget* and *Perouse* demolished, the Duke engaging never to rebuild the Fortifications, or to raise any others in those Parts, only a plain Wall about *Pignerol*. The King shall also restore *Montmelian*, *Nice*, *Villa Franca*, and *Susa*, and all other conquer'd Places, undemolish'd, which the Duke may repair and fortify as he pleases; but the King shall not be oblig'd to restore any of the said Places, till all the *Germans* are march'd out of *Italy*.

II. His

II. His Majesty shall make no Peace or Truce with the Emperor, or King of *Spain*, without including the Duke.

III. A Contract of Marriage shall be made between the Duke of *Burgandy* and the Princess the Duke's Daughter, where-in the said Princess shall renounce all Pretensions to her Father's Succession.

IV. That his Highness, renouncing as he does all Engagements with the Enemies of *France*, shall be allow'd to observe a perfect Neutrality towards them.

V. The Embassadors and Envoys of *Savoy*, shall be treated as those of Crown'd Heads.

VI. The Trade between *France* and *Italy* shall be carried on as before the War, paying the Duties on both Sides ; and the Couriers and Post shall pass in like manner.

VII. The Duke shall forbid the *Vauds* having any Communication with the King's Subjects, in matters of Religion, and shall not suffer any of his Majesties Subjects to settle in the Protestant Valleys, under Colour of Religion or any other Pretence ; nor no Protestant Minister shall come thence into his Majesties Dominions, without incurring the severest corporal Punishment. Nor shall the Duke allow the Exercise of the Protestant Religion in *Pignerol*, or any other Place restor'd to him. N VIII.

VIII. There shall be an act of Oblivion, so that the Subjects of either, who have serv'd the other, shall never be question'd for it.

IX. Benefices bestow'd by the King during the War, shall be confirm'd.

X. All Contributions on both Sides shall be remitted.

XI. The Pretensions of the Dutcheſs of *Nemours* shall be determin'd by Law.

XII. The Duke may send Intendants into *Savoy* and other Placcs to be restor'd, who shall receive all the Duties and Revenues.

XIII. If the Neutrality for *Italy* be accepted, or a general Peace concluded, the Duke does oblige himself not to keep more than 7500 Foot and 1500 Horse.

This Treaty being sign'd, the most Christian King made a Resignation of all the Duke's Territories, and his Highness put himself at the Head of the *French* Army to drive his late Allies out of *Italy*, laying Seige to *Valencia*, in the Dutchy of *Milan*; but before the Town was taken, the Confederates consented to the Neutrality for *Italy*, on the following Articles,

*The Treaty of Neutrality for Italy,
concluded at Vigevano, October
7. 1696.*

I. **T** Here shall be a Neutrality, or Suspension of Arms in *Italy*, till a general Peace.

II. The Imperial and *French* Troops shall depart out of *Italy*, and return into their own Countries.

III. The Princes of *Italy* in lieu of Winter Quarters, shall pay the Imperialists 300000 Crowns.

IV. As soon as part of the Imperialists begin to march off, the *French* shall do the same proportionably.

V. The Treaty shall be ratify'd by the Emperor within a Month, by the King of *Spain* in two Months, and the by Duke of *Savoy* in two Days.

The Duke of *Savoy's* falling off, having given a Shake to the Confederacy, all that mighty Structure began to totter, Proposals for a general Peace found a favourable Admittance, and at length the matter came to be seriously handled in 1697. To this Purpose the Palace of *Reswick* in *Holland* was appointed the Place of Treaty,

and there the Plenipotentiaries met in *May*, but had very little or nothing to do, the whole Negotiation being privately carry'd on in the Camp. The *French* during the Treaty, exerted their Power in the *Low-Countries*, where they took *Ath*, and coop'd up the Confederate Army at *Brussels*, and in *Catalonia* made themselves Masters of *Barcelona*, the Capital of that Province. These Successes no doubt contributed much towards the Peace, which having been concerted in the Camp, as has been said, was then sent to the Congress at *Reswick*, where the Plenipotentiaries had not much to do more, than the signing of what was laid before them. *England*, *Spain*, and *Holland* sign'd at first together. The Emperor had time given him to come in, and being left to himself, and consequently unable to subsist, at last comply'd. The several Treaties follow.

*Articles of Peace between Lewis XIV.
and William III. Kings of France
and England, concluded at Res-
wick, Sept. 10. 1697.*

I. **T** Here shall be perpetual Peace and true Friendship between the two Kings, &c.

II. Al

II. All Hostilities shall cease in all parts.

III. All Damages done during the War shall be forgotten.

IV. Both Kings promise never to assist the Enemies of each other.

V. There shall be free Commerce between the Subjects on both sides, as before the War.

VI. The Subjects of each King shall have Justice done them in the others Dominions.

VII. Both Kings shall restore to each other whatsoever they possess'd before the War.

VIII. Commissioners shall be appointed on both sides to determine the Rights of either King to *Hudson's-Bay* ; but the *French* shall be left in possession of the Places by them taken before the War, and retaken by the *English* during the War ; and the Capitulation made by the *English*, September 5. 1696, shall be observ'd, Merchandize therein mention'd restor'd, the Governour of the Fort set at liberty, &c.

IX. All Letters of Marque and Repri-
sal already granted shall be null, and none granted hereafter.

X. All Ships taken within twelve Days after the publication of this Treaty in the British and North Seas, as far as Cape *St. Vincent* ; within ten Weeks beyond

the said Cape on this side the Equinoctial ; and within six Months beyond the Equinoctial shall remain to the possessors.

XI. If any Subject act contrary to this Treaty, only the said Subject shall be lyable to answer for it.

XII. If a new War should break out, the Subjects on both sides shall have six Months to withdraw themselves and their Effects.

XIII. In relation to the Principality of *Orange*, and other Lands belonging to the said King of *Great Britain*, the Separate Article of the Treaty of *Nimeguen* between the most Christian King and the States, shall have full Effect ; and all the Rights and Profits shall be restor'd.

XIV. The Treaty of Peace concluded between the most Christian King and the late Elector of *Brandenburg*, at *St. Germain en Laye*, *June 29. 1679*, shall remain in full vigour.

XV. The Treaty with the Duke of *Savoy*, concluded on the 9th of *August, 1696*, shall be confirm'd by this Article.

XVI. Those who shall be nam'd by each Party within six Months after the Ratification to be comprehended in this Treaty.

XVII. The Ratifications shall be exchang'd within three Weeks.

Separate Article.

It shall be free for the Emperor and Empire, until the 1st day of *November* next, to accept the Conditions of Peace propos'd by the most Christian King, unless in the mean time it shall be otherwise agreed among them. But if the Emperor and Empire do not accept these Conditions within the time limited, the King of *Great Britain* shall not act contrary to this Treaty.

*Articles of Peace between Lewis XIV.
King of France, and the States of
Holland, concluded at Reswick,
September 20. 1697.*

I. II. **T**HE same as 1, 2, and 3, in the above Treaty with *England*.

III. Prizes taken on either side, in the *Baltick* or North Sea, from *Newfoundland* to the end of the *British* Channel, four Weeks after signing this Treaty; from the Channel to Cape *St. Vincent*, six Weeks after; from thence as far as the Line ten Weeks after, and beyond the Line eight Months after the said time, shall be restor'd.

N 4

IV.

IV, V, VI. Contain a Repetition of Amity between the Subjects on both sides, that they shall aid and support one another, and that all Estates forfeited on Account of the War shall be restor'd, as usual in all other Treaties of this nature.

VII. The Marquisate of *Bergenopzoom*, with all its Rights, &c. shall be restor'd to the Count d' *Auvergne*.

VIII. All Places taken on either side, either within or out of *Europe*, shall be restor'd in the same Condition they were in when taken; particularly the Fort and Settlement of *Pontichery* shall be restor'd to the *French East-India Company*.

IX. Prisoners of War on both sides shall be discharg'd without Ransom.

X. Contributions shall cease on both sides, on the Day of Exchanging the Ratifications.

XI. Both Parties renounce all Pretensions whatsoever they may have upon the other.

XII. to XVIII. The same as VI, XI, XII, XIV, XV, and XVI. in the last Treaty with *England*.

XIX. An enumeration of Princes and States, nam'd by the *Dutch*, to be comprehended.

XX.

XX. The King of *Sweden*, as Mediator, and such others as shall think fit, may be Guarantees for the Execution of this Treaty.

XXI. This Treaty shall be ratify'd within three Weeks.

XXII. This Treaty shall be register'd in all the Parliaments of *France*, and in the Chamber of Accounts in *Paris*, and in all Courts and Places usual in *Holland*.

Separate Article,

The very same with that above, after the last Treaty with *England*.

The Treaty of Navigation and Commerce, between Lewis XIV. King of France, and the United Provinces, concluded at Reswick, September 20. 1697.

THIS is in all Respects so exactly the same with the Treaty of Commerce betwixt *France* and *Holland*, concluded at *Ni-*

Nimeguen, August 10, 1678. which may be seen above in its Place, that it would be superfluous to repeat the same here.

*Articles of Peace between Lewis XIV.
King of France, and Charles II.
King of Spain, concluded at Res-
wick, September 20. 1697.*

I, II, and III, **T**HE same as I, II, III,
in the above Treaty
with England.

IV. *Barcelona, Girona, Roses, Belver,*
and all other Places whatsoever, taken du-
ring this War by the Arms of *France*, in
Catalonia, or elsewhere in *Spain*, shall be
restor'd to his *Catholick* Majesty in the
Condition they were in when taken.

V. The City and Dutchy of *Luxemburg*,
and County of *Chiny*, with all the Depen-
dences, Rights, &c shall be restor'd to the
Catholick King, in the same Condition they
are in at this Day.

VI. The Fortrefs of *Charleroy*, with all
its Dependences, shall be restor'd in like
manner.

VII. The City of *Mons* and Town of
Ath shall also be deliver'd up to his *Ca-
tholick*

tholick Majesty in the Condition they now are, with all their Dependences, as yeilded up by the Treaty of Nimeguen, except the following Places, viz. the Burgh of St. Antony, Vaux, Guarrain, Romecroix, Bethune, Constantine, Paradis, Kans, Kavines, Meles, Mourcourt, Kain, le Mont d' St. Audebert, call'd, de la Trinite, Fontenay, Maubray, Hernies, Calvelle, and Wier, with their Parishes, &c. all which shall remain to the most Christian King; the Province of Hainault continuing under the Domini- on of his Catholick Majesty, but without Prejudice to what has been yeilded to the most Christian King by preceding Trea- ties.

VIII. The Town of Courtray, with all its Dependences, shall be deliver'd up to the Catholick King in the Condition it now is.

IX. Both Kings shall restore to each o- ther all Places they may have possess'd till the Day of the Peace, and even after it, in any Parts of the World.

X. All the Places the most Christian King has seiz'd and made Reunions since the Treaty of Nimeguen in the Netherlands, shall remain to his Catholick Majesty, ex- cept 82 Towns, &c. contain'd in an ex- cepted List, presented by the most Christi- an King as Dependences on Charlemont, Mau-

Maubeuge, and other Places yeilded up to his said Majesty by the Treaties of *Aix la Chapelle* and *Nimeguen*, to determine about which 82 Places, Commissioners shall be appointed on both Sides.

XI. All the Places yeilded up to his Catholick Majesty, shall be by him enjoy'd with all their Rights, &c.

XII. The said Restitution shall be perform'd without any delay, &c.

XIII. Artillery, Provisions, and the Effects belonging to the Garrisons of Places restor'd, may be carry'd away.

XIV. Prisoners of War on both Sides shall be dismiss'd, without Ransom.

XV. The Subjects on both Sides may Trade, Reside, go and come to and from the Countries of each other in full Liberty.

XVI. All Records, Papers, &c. relating to Lands, to be restor'd.

XVII. Contributions, &c. shall cease, at the Ratification of this Treaty.

XVIII. All Subjects shall be restor'd to their Estates, seiz'd on Account of the War, but shall demand none of the Produce during the War.

XIX. Nor shall they claim any Debts, Effects, &c. which have been confiscated.

XX. The

XX. The restoring of Subjects shall be done pursuant to the 21st and 22d Articles of the Treaty of *Nimeguen*.

XXI. The 24th and 25th Articles of the Treaty of *Nimeguen*, concerning Benefices, shall be executed.

XXII. The Subjects on both Sides shall have full Power to dispose of their Moveables, or Immoveables by Sale, Exchange, Deed, and Last Will.

XXIII. Commissioners shall be appointed to determine how much each King shall pay of Rents laid upon the generality of some Provinces.

XXIV. Rents due upon the Domain, shall be paid by either King to the Creditors of what Nation soever they be.

XXV. The same as the Third, in the foregoing Treaty with *Holland*.

XXVI. The same as the Twelfth, in the foregoing Treaty with *England*,

XXVII. The Troops on both Sides, shall immediately after the Ratification, withdraw into the Dominions of their own Princes.

XXVIII. The most *Christian* King, shall receive the Duties and Customs of all Places he restores, till the Day of the said Restitution.

XXIX. The Treaty of *Nimeguen*, and others preceding, shall be observ'd, except

cept where some Alteration is made by this Treaty.

XXX. All Judgments given shall stand good.

XXXI. The Town and Castle of *Dinant* shall be restor'd to the Bishop of *Liege*.

XXXII. His *Catholick* Majesty shall restore the Island *Ponza*, in the *Mediterranean*, to the Duke of *Parma*.

XXXIII. The Treaty with the Duke of *Savoy*, concluded at *Turin*, *August* 29. confirm'd by this Treaty.

XXXIV. The King of *Sweden*, as Mediator, comprehended in this Treaty.

XXXV. As also those who shall be nam'd by each King, within Six Months, after the Ratification.

XXXVI. The King of *Sweden*, and any other Princes and States, may be Guantees for this Treaty.

XXXVII. This Treaty shall be Register'd, as is said in the last with *Holland*.

XXXVIII. It shall be Ratify'd within Six Weeks.

The Separate Article.

The very same as that after the last Treaty above with *England*, Word for Word.

The

The Treaty of Peace between the Emperor Leopold and the Empire, on one Part, and Lewis XIV. King of France, on the other ; concluded at Rесwick, October 30. 1697.

I, and II, **T**HE same as I, II, III, in the above Treaty with *England.*

III. The Treaties of *Westphalia* and *Nimwegen*, are to be the Foundation of this Peace.

IV. Restitution shall be made to the Emperor and Empire, by the most *Christian* King, of all that has been seiz'd during the War, and under the Name of Unions and Reunions ; but the *Roman Catholic* Religion, shall continue in the State it is at present, in the Places to be so restor'd.

V. Notwithstanding the last general Article, it is thought fit to mention some things in a particular manner ; yet those which are not Nam'd, shall have the same Right as if they were.

VI. The City of *Treves* shall be restor'd to the Elector of that Name, in the Condition it is.

VII.

VII. The Elector of *Brandenburg*, and all that belongs to him by the Treaty of *May 29. 1679*, shall enjoy all the Benefits of this Peace.

VIII. The Elector *Palatine* shall be restor'd to all that belongs to him; the Pretensions of the Dutchess of *Orleans* be left to Arbitration, and in the mean while the Elector shall Yearly pay to the Dutchess 200000 Livres upon that Account.

IX. The King of *Sweden* shall have the old Dutchy of *Deux Ponts* restor'd to him entire, with all its Dependences.

X. The Principality of *Veldentz* shall be restor'd, saving the Rights of Pretenders.

XI. *France* shall restore to the Grand Master of the *Tentonick* Order and Bishop of *Worms*, all that belongs to the said Order in the *French* Dominions, and the same as to the Bishoprick of *Worms*.

XII. The Town and Castle of *Dinant* with its Dependences, shall be restor'd to the Bishop of *Liege*.

XIII. The House of *Wirtemberg* shall be restor'd to the immediate Dependence on the Sacred *Roman* Empire, upon account of the Principality of *Montbeliard*, and the Recognition of Vassallage made to the Crown of *France* in 1681. being utterly void. The said Princes shall enjoy all that belong'd to them before the Peace of *Ni-*
meguen,

meguen, except the Territory of *Baldenheim*, given by his most Christian Majesty to Mr. *de Chamlay*, which he is allow'd to keep, doing Homage for it to the Duke of *Wirtemberg*. They shall also restore *Clermont*, and *Passavant*, *Granges*, *Herricourt*, *Blamont*, *Chatelot*, and *Clermont*, and the Principality of *Montbeliard*.

XIV. The House of *Baden* shall enjoy all the Rights and Benefits of this Peace.

XV. The Princes of the House of *Nassau*, *Hanan*, and *Leiningen* are to be restor'd.

XVI. The Emperor and Empire, yeild to the most Christian King the City of *Strasburg*, and what appertains to it, on the Left Side of the *Rhine*, in perpetual Property for ever.

XVII. The Inhabitants of that City may either remove, or continue there, with their Goods, or to sell them and their Estates, or to enjoy their Estates, tho' absent themselves, notwithstanding any of them may have been confiscated during the War.

XVIII. The most Christian King shall restore to the Emperor the Fort of *Kehl*, built by him on the Right-Side of the *Rhine*; but the Fort of *Pille*, and others in the *Rhine*, or Islands thereof, shall be Demolish'd, and never more Rebuilt. The

Navigation of the River shall be free to both Parties, and nothing done to obstruct it, and no new Duties exacted on Goods.

XIX. The most Christian King also yeilds to the House of *Austria*, the City and Castle of *Friburg*, the Fort of *St. Peter*, the *Star-Fort*, without Demolishing, with the Villages of *Lehen*, *Metzhausen*, and *Kirkzarth*, with all their Jurisdictions, &c.

XX. The said King also yeilds up to the House of *Austria*, the Town of *Brisac*, with all its Dependences, on the Right-Side of the *Rhine*; but those on the Left-Side, with the Fort call'd *le Mortier* are to remain to his most Christian Majesty. The New City on the Left-Side of the *Rhine*, with the Bridge and the Works built on the Island, shall be entirely destroyed.

XXI. All the said Places shall be delivered by the most Christian King, without any Reservation, Detention, &c.

XXII. In like manner the Fortress of *Philipsburg* shall be restor'd to the Empire, with all the Works on the Right-Side of the *Rhine*; but the Bridge and Works on the Left-Side, shall be demolished.

XXIII

XXIII. The said King shall demolish the Works at *Hunninghen*.

XXIV. As also the Works over-against Fort *Lewis*, but the Fort it self shall continue in the King's Power.

XXV. The King is also to demolish the Works added to the Castle of *Traerbach*, and to *Montroyal* on the *Moselle*, and *Traerbach* to be restor'd to the Owners.

XXVI. The Works added to the Castle of *Kurburg*, shall also be razed, and the said Castle, the Town of *Kirn*, and the Principality of *Salm*, restor'd to the Prince of *Salm*.

XXVII. The same as to the Castle of *Eberenburg*, to be restor'd to the Barons of *Sickengen*.

XXVIII. The Duke of *Lorain* shall be restor'd to all his Unkle, Duke *Charles* possess'd in 1670, except the Alterations explain'd in the following Articles.

XXIX. The King shall restore to the Duke, the old and new Town of *Nancy*, &c.

XXX. Also the Castles of *Birsch* and *Homburg* demolish'd.

XXXI. Every thing in the 4th Article, concerning Unions and Reunions, shall be construed in Favour of the Duke.

XXXII. Fort *Saar-Lous* is reserv'd to his most Christian Majesty, with half a League of Ground round it, to be for ever possess'd by him.

XXXIII. The City and Prefecture of *Longwich*, with its Dependences, shall for ever remain to the King, who shall Assign the Duke another, in one of the three Bishopricks.

XXXIV. The Country shall be always open for the King's Forces to march through, they paying for what they have.

XXXV. Those who have Benefices from the most Christian King, shall remain unmolested.

XXXVI. All proceedings in Law shall stand good.

XXXVII. The Records of *Nancy* and *Bar*, shall be restor'd.

XXXVIII. The Duke of *Lorain*, immediately after the Ratification, may send Commissaries to *Lorain* and *Bar*, to take care of his Affairs.

XXXIX. The Customs and Tols to continue as in 1670.

XL. The ancient Usage of Commerce shall remain between *Lorain* and *Metz*, *Toul*, and *Verdun*.

XLI. The Concordats made between the most Christian Kings, and the Duke of *Lorain* shall be maintain'd. XLI

XLII. The Duke and his Brothers shall be at Liberty to sue for their Rights.

XLIII. As to things not express'd here, the general Articles of this Treaty are to be observ'd.

XLIV. Cardinal *Furstenberg* shall be restor'd to all his Rights and Goods whatsoever, and with all that adher'd to him enjoy a full Amnesty. The Canons of *Cologne*, who sided with him, shall enjoy the same Amnesty and be restor'd.

XLV. The Landgraves of *Hesse-Rhinfelden* shall be comprehended in the Amnesty, and be put into the same Condition as their Father was before the War.

XLVI. All Subjects on both Sides shall be restor'd to all their Rights, Goods, Honors, Estates, &c. which they enjoy'd before the War.

XLVII. Benefices conferr'd by either Party, during the War, shall remain to the Possessors.

XLVIII. The Peace concluded at *Turin*, August 29. 1696, between the most Christian King and the Duke of *Savoy*, shall be confirm'd by this.

XLIX. No new Right shall be acquir'd over any Places, Things, &c. by the Restitution *France* is to make, but the Pretensions to be then examin'd.

L. All Acts of Hostility shall cease, as soon as this Treaty is Sign'd.

LI. All Contributions shall cease at the Ratification.

LII. Commerce shall be immediately restor'd after Signing.

LIII. All things here agreed on, shall be valid, and put in Execution.

LIV. Both Parties shall be allow'd to strengthen this Peace by Allyances, and Fortresses built on their own Ground.

LV. The King of *Sweden*, as Mediator, shall be comprehended in this Treaty.

LVI, and LVII. Contain the Princes and States, nam'd on both Sides, to be also comprehended in this Treaty.

LVIII. All those shall be further included in it, who may be nam'd in Six Months after the Ratification.

LIX. The Ratifications shall be exchange'd within Seven Weeks.

LX. In Testimony of all which, the several Plenipotentiaries have subscrib'd and put to their Seals.

The Separate Article,

Only Regulates the Form of Proceeding in the Decision, or Arbitration, mention'd in the 8th Article of the Treaty, concerning the Pretensions of the Dutchess of *Orleans*.

Once

Once more we see Peace restor'd to Europe by this last Treaty of *Reswick*, tho' of so short a Continuance, that it seem'd to be but a little Breathing by mutual Consent, in order to recover Strength, for a more bloody War. In the mean while, another Treaty was the following Year 1698, concluded at the *Hague*, with a design to prevent another Breach, by settling the Succession of the Crown of *Spain*, King *Charles II.* who then reign'd, being very infirm, and without Issue or hopes of any. The Pretenders to that Crown were the *Dauphin* of *France*, as Son to *Mary Teresa*, eldest Daughter to King *Philip IV.* and the Electoral Prince of *Bavaria*, Grandson to *Margaret*, a younger Daughter to the said King *Philip*, and Wife to the Emperor *Leopold*, who had by her but one Daughter, marry'd to the present Elector of *Bavaria*, and he by her had the Son here spoken of, whose Title to the Crown of *Spain* was preferr'd before the *Dauphin's*, on Account of the Renunciation made by the Mother of this latter. However the *Dauphin* still claiming as descended of the eldest Sister, it was thought fit so to settle that Affair, whilst King *Charles II.* of *Spain* was still living, as that his Dominions might after

his Decease, be peaceably convey'd to his Heirs, without ingaging *Europe* in another War. To this Intent the above-mention'd Treaty was set on foot, and carry'd on as follows.

The first Treaty of Partition, between the Kings, Lewis IV. of France, and William III. of England, and the States General of the United Provinces, concluded at the Hague, August 12. 1698.

I. **T**HE Peace concluded at *Reswick*, between *France*, *England* and *Holland*, shall be firm and lasting.

II, and III. In regard that the King of *Spain* is not likely to live long, and has no Issue, which may occasion a new War, should the Emperor, the most Christian King, and the Elector of *Bavaria* assert their Pretensions to that Crown, the two Kings and the States have thought fit to take the necessary Measures for preventing the Calamities that may otherwise ensue upon the Death of the Catholick King.

IV. It

IV. It has been therefore stipulated and agreed, that the Catholick King dying as has been said without Issue, the King of *France* and the *Dauphin*, shall quit all Claim to the Crown of *Spain*, the Emperor, his Sons, and the Elector of *Bavaria* resigning up to them and their Heirs for ever, the Kingdoms of *Naples* and *Sicily*, the Places on the Coast of *Tuscany*, or adjacent Islands, call'd, *Sancto Stephano*, *Porto Hercole*, *Orbitello*, *Telamone*, *Portolongone*, and *Piombino*; also the Town and Marquisate of *Final*, the Province of *Guipuzcoa*, particularly the Towns of *Fuenterabia* and *St. Sebastian*, the Dominions on both Sides to be parted by the Mountains, with their Fortifications, Ammunition, Gallys, Gally Slaves, &c. belonging to *Naples* and *Sicily*; those which belong to *Spain*, being to go to the Electoral Prince of *Bavaria*. In consideration of which, the King and *Dauphin* shall and do renounce all Pretensions to the Crown of *Spain*.

V. The Crown of *Spain*, with all its other Dominions, shall be given for ever to the Electoral Prince of *Bavaria* and his Heirs.

VI. The Dutchy of *Milan* shall be excepted and given to the Arch-Duke *Charles*, second Son to the Emperor *Leopold*, for extinction of all his Pretensions. VII.

VII. The Emperor and his two Sons, shall in consideration of the said Dutchy of *Milan*, renounce all their Pretensions to the Crown of *Spain*.

VIII. This Treaty shall be notify'd to the Emperor, the King of the *Romans*, and Elector of *Bavaria*, and they invited to approve of it.

IX. If either of them shall refuse to enter into this Agreement, the two Kings and States, shall hinder the Party so refusing from taking Possession of what is assign'd him, till he has agreed to this Treaty, and his Share shall be Sequester'd in the Hands of the Viceroy, or Governor then in being.

X. The King of *Spain* dying, as it is said without Issue, each Prince may take Possession of what is assign'd him, as soon as he has comply'd with VIth, VIIth, and IXth Articles preceding, and the two Kings and States shall assist to compel those by force, who shall oppose the Execution; and the two Kings and the States do oblige themselves to leave the whole Succession in the Condition it shall be then, without seizing thereof in the whole, or in part, directly or indirectly.

XI. If either of the said Kings, or the States, should be attack'd on account of this Agreement, they shall mutually assist each

each other, and shall be Guarantees of the punctual Execution of it.

XII. All Princes and States shall be admitted into this Treaty that desire it, and may be Guarantees for the Execution of it.

XIII. The said Princes and States, shall not only be Guarantees of the Execution of this Treaty, and the Validity of the Renunciations, but if any of the Princes, in favour of whom this Partition is made, should hereafter, under any Colour, endeavour to disturb the Order settled by this Treaty, the said Princes and States who undertake this Guarantee, shall be oblig'd to employ their Forces in opposing such Attempts.

XIV. If any Prince whatsoever oppose the taking Possession of the Shares agreed on, the two Kings and States shall be oblig'd to assist one another against such Opposition.

XV. The Ratifications shall be exchang'd within three Weeks.

The Secret Article relating to the Elector of Bavaria.

If the King of *Spain* dye without Issue, as above, and the Dominions of *Spain* do fall under the Electoral Prince of *Bavaria*,
the

the Elector of *Bavaria* shall be Tutor and Curator to the Prince his Son, during his Minority, and shall have the Government of all his Kingdoms.

Secondly, If the said Prince should dye without Issue, the Elector of *Bavaria*, his Father, shall succeed in all the said Dominions, assign'd to his Son's Share, and shall enjoy the same in Propriety to him and his Heirs, Males and Females, so that neither the Emperor, nor the *Dauphin*, nor the Heirs of either, shall have the least Pretence to the Succession; and the two Kings and States oblige themselves to maintain the same with all their Power.

All Princes and States may be admitted into this Treaty, when it shall be made publick, if the Death of the Electoral Prince should happen.

The Secret Article concerning the Dutchy of Milan.

The two Kings and States have agreed, That in case the Dutchy of *Milan* should come to be Sequester'd, by Virtue of the IXth Article of the Treaty, into the Hands of the Prince of *Vaudemont*, at present Governor thereof, upon his Decease, if it should happen, the said Sequestration,

questration, and consequently the Government of the said Dutchy, shall be Administer'd by Prince *Charles* of *Vaudemont*, his Son.

The Secret Article Explanatory of the Treaty.

In Explication of the Vth, VIIth, and Xth Articles of the Treaty, it is agreed, That notwithstanding the Archduke *Charles* be not to give his Act of Renunciation before he is of Age, provided the Emperor and King of the *Romans* have given theirs, the said Archduke may enter into Possession of his Share, at the Death of the Catholick King, without Issue, tho' he be not of Age, but he shall give his Renunciation when he shall be of Age. The same to be understood of the Electoral Prince of *Bavaria*, if under Age.

This mighty Project, so solemnly concerted, soon came to nothing, by the Death of the Electoral Prince of *Bavaria*, design'd Heir to the Crown of *Spain* and all its Dominions, except the Shares above allotted to the *Dauphin* and the Archduke *Charles*. The said Electoral Prince departed this Life on the 16th of *February* 1699; so that all the Measures be-

before taken about the *Spanish* Monarchy being broken by the Hand of Providence, the aforesaid Powers of *France*, *England*, and *Holland*, combin'd again for disposing of those Dominions at their Pleasure; but time has shown the Vanity of all their Contrivances. King *Charles II.* of *Spain* daily declined in his Health, and consequently was farther from the hopes of leaving any Issue, his younger Sister's Grandson was now dead, and none of his Father's Off-spring remained, but the Dauphin and his Children, descended from the elder Sister, as has been said above. *France* notwithstanding the Renunciation would not quit its Claim, the Emperor as a Branch of the House of *Austria*, though more remote from the Succession than the *Dauphin*, grounded his Title on that Renunciation; the other *European* Potentates could not bear the Thoughts of seeing such mighty Dominions fall under the House of *Bourbon*. This had occasion'd the Treaty we have seen above, and the same Consideration produc'd another to the same Effect, the former being disappointed by the Death of the young Electoral Prince, we are next to give the Product of these second Consultations, being

The

The Second Treaty of Partition, between the Kings, Lewis XIV. of France, and William III. of England, and the States of the United Provinces, sign'd at London by the Plenipotentiaries of France and England, March 3. 1700. S. N. and February 21. 1699. S. V. and at the Hague, March 25. 1700.

I, II, and III, **T**H E S E three Articles are *verbatim* the same, as the three first, in the foregoing first Treaty of Partition.

IV. This Article gives the *Dauphin* the same Kingdoms, Towns, &c. as mention'd in the foregoing first Treaty of Partition, but instead of the Electoral Prince substitutes the Archduke *Charles* to succeed in the Monarchy of *Spain* as there, with this Addition, that the Dominions of the Duke of *Lorain*, that is the Dutchies of *Lorain* and *Bar*, shall be yeilded up to the *Dauphin* and his Heirs for ever; in lieu whereof the said Duke of *Lorain* was to have the Dutchy of *Milan* to perpetuity,

ity, and Prince *Vaudemont* was to have the County of *Bitfch*. On this Consideration the King of *France* and the *Dauphin*, to renounce all Claim to the Succession of *Spain*.

V. All the Places to be deliver'd to the *Dauphin*, should remain undemolish'd.

VI. All the other Dominions of *Spain* to be deliver'd up to the Archduke *Charles*, excepting only those above-mention'd, in the same Form as they were by the Vth Article of the first Partition Treaty above, given to the Electoral Prince.

VII. This Treaty, immediately after Ratification, shall be communicated to the Emperor; and in Case he and the King of the *Romans* should refuse to agree to the Share assign'd to the Archduke *Charles*; the two Kings and the States shall agree upon a Prince to whom that Part shall be given; and in case the said Archduke should take Possession, either of the Part assign'd him, or of the *Dauphin's*, or of the Dutchy of *Milan*, before he has accepted of this Treaty, the two Kings and the States, shall oppose him with all their Forces.

VIII. The Archduke shall not pass into *Spain*, nor into the Dutchy of *Milan*, during the Life of his Catholick Majesty, but with common Consent.

IX.

IX. If the Archduke should dye without Issue, either before, or after the Death of the Catholick King, the share assign'd him by this Treaty, shall go to such Child of the Emperor, except the King of the *Romans*, or to such Child of the said King of the *Romans* as his Imperial Majesty shall think fit; or in case the Emperor dye without making such Assignment, it may be done by the King of the *Romans*; but on Condition that the said Part shall never be united, or belong to the Person who shall be Emperor, or King of the *Romans*; nor shall it ever devolve, or come to the Person that shall be King, or *Dauphin* of *France*.

X, XI, XII, XIII, and XIV. Are exactly the same as those of the like Numbers, in the foregoing first Treaty of Partition.

XV. The present Treaty, and the Acts the most Christian King and the *Dauphin* are oblig'd to give, by virtue of the IVth Article, shall be register'd in the Parliament of *Paris*, as soon as the Emperor has enter'd into this Treaty; and his Imperial Majesty, when he enters into it, shall get it approv'd and register'd, with all the Acts made in Consequence thereof.

P

XVI.

XVI. The Ratifications shall be exchanged at *London*, within three Weeks.

We have seen how Heaven disappointed the first Partition Treaty, by taking away the young Electoral Prince, and it is well known that this second had no better Effect, to convince us that Crowns are not always at the disposal of Politicians; who if strictly observ'd, will be found oftner to miscarry than succeed. The Emperor, having in conceit grasp'd the whole *Spanish* Monarchy, could never be induc'd to accept of a Dividend; neither would he consent to the settling of the Crown on his second Son, till long after Necessity compell'd him to it. His Obstinacy was not in the least disagreeable to *France*, which by that Means got into the Possession of what its Competitor rejected. Whilst these Treaties were managing with the greatest Secrecy, King *Charles* the Second of *Spain* and his Council, were no less taken up with the Thoughts of settling the Succession, which they plainly saw must devolve to one of the two contending Houses of *Austria* and *Bourbon*. They could not consent to dismembring of the Monarchy; and therefore, if we may believe the *Spanish* Accounts, printed at
Ma-

Madrid, consulted the Court of *Rome*, and all the ablest Men in *Spain*, about conveying of it entire to the House of *Bourbon*, yet so as that the two Crowns might not be united upon one Head. To this End the Offer was made to *Philip*, Duke of *Anjou*, the *Dauphin's* second Son; and being accepted, King *Charles* made his Will accordingly, and by it convey'd the whole Monarchy of *Spain* to the said *Philip*. This is the *Spanish* Account, and they ought to be allow'd to know best what was done among them, in an Affair of such Consequence. However it was, King *Charles* dy'd on the first of *November* 1700, a solemn Embassy was sent into *France*, to invite the aforesaid *Philip*, Duke of *Anjou*, to accept of the Crown, and being conducted into *Spain*, he was there universally receiv'd as lawful King. All the Princes and States of *Europe* sent to Congratulate and own him, except only the Emperor, who could not prevail with himself to permit so vast a Monarchy to be tamely wrested from him. Yet did he not lay any open Claim to the Crown of *Spain*, not so much as in his Declaration, in 1702, but only to Fiefs of the Empire, and Lands belonging to the House of *Austria*, before its Exaltation to that Throne. To assert these Rights,

an Army was sent into *Italy*, at the beginning of the Year 1701, under the Command of Prince *Eugene* of *Savoy*, who having repuls'd the *French* Army, which attack'd him in his Trenches at *Chiari*, being led on by the Treachery of a Prince their Ally, took up his Winter-Quarters in the *Mantuan*, the *Modenese*, and Parts Adjacent. Whilst these Forces were marching, the grand Alliance, between the Emperor, *England* and *Holland*, was projecting at the *Hague*, and concerted as follows.

The Treaty of Alliance, between the Emperor, the King of Great-Britain, concluded at the Hague, September 7. 1701.

I. **T**HERE shall be, and continue, between the Emperor, the King of *Great-Britain*, and the States General, a constant, perpetual, and inviolable Friendship, and each Party shall be oblig'd to promote the Advantages of the other, &c.

II. Their Imperial and *British* Majesties and the States, being desirous of the Peace of *Europe*, have judg'd that nothing can be

be more effectual for the Establishment thereof, than the procuring an equitable and reasonable Satisfaction to his Imperial Majesty for his Pretension to the *Spanish* Succession ; and that the King of *Great-Britain*, and the States General, may obtain a particular and sufficient Security for their Kingdoms, Provinces, and Dominions, and for the Navigation and Commerce of their Subjects.

III. The Confederates therefore shall in the first Place use their utmost Endeavours for obtaining the aforesaid Satisfaction to his Imperial Majesty, and Security to the King of *Great Britain* and the States by amicable Means, and shall employ to that Purpose two Months after the Ratification.

IV. If Matters cannot be amicably transacted as aforesaid, the Confederates do ingage and promise to assist each other with all their Forces, as shall be agreed on in a peculiar Convention to that Purpose.

V. The Confederates, in order to procuring of this Satisfaction and Security, shall use their Endeavours to recover the Provinces of the *Spanish Low-Countries*, to be a Fence and Barrier, distancing *France* from the *United-Provinces* for Security of the States General ; as likewise the *Dutchy*

of *Milan*, as a Fief of the Empire, besides the Kingdoms of *Naples* and *Sicily*, and the Lands and Islands upon the Coast of *Tuscany*, that belong to the *Spanish* Dominions, and may contribute to the Security of the Emperor's hereditary Countries, and be an advantage to the Commerce of the Subjects of *Great-Britain* and the *United Provinces*.

VI. The King and States may seize any Lands and Cities belonging to the *Spanish* Dominions, and whatsoever they take shall be their own.

VII. If the Confederates enter into a War, they shall faithfully communicate their Designs to one another.

VIII. When the War is begun, it shall not be lawful to treat of Peace with the Enemy, unless jointly; and no Peace shall be made, unless an equitable and reasonable Satisfaction for the Emperor, and a particular Security for the Commerce of *Great-Britain* and the *United Provinces*, be first obtain'd; and care be taken that the Kingdoms of *France* and *Spain*, shall never be united under the same Government, and particularly that the *French* shall not get Possession of the *Spanish West-Indies*, or be permitted to Trade there; and lastly, unless the Subjects of *England* and *Holland* be allow'd all the Rights

Rights and Priviledges in Trade, which they enjoy'd before the Death of the late King of *Spain*.

IX. The Confederates shall agree about maintaining the Commerce of the Subjects of *England* and *Holland* in the Lands they may acquire, and how the States may be secur'd by the aforesaid Barrier.

X. The Confederates shall also agree about the Exercise of Religion in the Places they may acquire, as above.

XI. The Confederates shall be oblig'd to assist one another with all their Forces, against any one that shall invade them on Account of this Alliance.

XII. If the Agreement about the Satisfaction and Security can be amicably made, or Peace be restor'd after a War, there shall continue a defensive Alliance between the contracting Parties for Maintenance of the said Peace and Agreement.

XIII. All Princes and States may be admitted into this Alliance.

XIV. This Treaty shall be ratify'd within Six Weeks.

King *William* having concluded this Treaty, did not live to see it executed, but dy'd on the 8th of *March* following, 1702, on which Day Queen *Anne* was

proclaim'd and took Possession of the Government. This Alteration in the Throne, made none in the Administration, the same Methods which had been concerted by the Predecessor being follow'd by the Successor. Accordingly, on the 4th of *May*, 1702, War was proclaim'd in *England*, against *France*, and the reason given for it, besides the Alliance above-mention'd, was his most Christian Majesty's having declar'd another Person King of *England*. On the 8th of the same Month the States also declar'd War against *France*, as did the Emperor on the 15th ensuing, for he had not done it as yet, notwithstanding all the Hostilities committed in *Italy* the Year before, as has been above-mention'd.

All the Confederates having now declar'd, the War was renew'd on every Side with the utmost Fury. The Elector of *Cologne* had receiv'd *French* Garrisons into several of his Towns, which were to be dislodg'd, and in order to it *Keyserwart* was besieg'd, and after a tedious Siege, taken by the Allies, who by that Means were Masters of the greatest Part of the Electorate, the City of *Cologne* having continu'd at the Emperor's Devotion. *Venlo*, *Ruremond*, and *Liege* were also taken this Year by the Confederates

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on that Side. In *Italy* Prince *Eugene* having contriv'd to surprize *Cremona*, tho' actually possess'd of the Market Place and several Streets, was drove out again, with great Loss, by the Garrison; after which, he fought the Battle at *Luzzara*, where, though both Sides pretended to the Victory, his losing the Castle of *Luzzara*, and other Places, plainly show'd the Prince had receiv'd a Blow; as did Count *Trautman/dorf* from Count *Tesse* at *Mantua*. The Emperor had not much better Success in *Germany* this Campaign than in *Italy*; for though he belieg'd and took *Landau*, yet the Elector of *Bavaria* having refus'd to enter into the Grand Alliance, possess'd himself of *Ulm*, and the French General *Villars* routed Prince *Lewis* of *Baden* at *Fridlingen*. The *English* and *Dutch* Fleets landed a considerable Body of Men near *Kota* in the Province of *Andaluzia* in *Spain*, the which meeting no Oppositions, march'd to *Port St. Mary*, an open Town, and plunder'd it, but were disappointed in their attempt upon *Cadiz*; however in their return Home, they burnt several French Men of War, and Spanish Galleons at *Vigo*.

In 1703, the French took Fort *Kehl*, overagainst *Strasburg*, and soon after the Town of *Kentzingen*, which having opened

ned their way into the Empire, they made a false attack on the Lines at *Stolhoffen* to amuze the Imperialists, whilst another Body detach'd from the main Army secured the Passes in the *Kentzinger Dale*, which being done the whole Army followed and made it's way into *Bavaria* to join that Elector. He in the mean time had routed Count *Schlick*, taken *Newburg*, *Newmark*, and *Ratisbonne*, and being now strengthened by the *French*, made himself master of *Rotenburg*, *Inspruck* and *Ebrenburgh*, but at last venturing inconsiderately among the Mountains to force his way into *Italy*, he sustained much loss, and was obliged to retire into *Bavaria*; where after his return he made himself master of *Ausburg*, and defeated Count *Stirum*. At the same time that these things happened about *Bavaria*, Count *Tallard* with another French Army laid Siege to *Landau*, and having routed the Prince of *Hesse*, who came with the German Army to relieve the Place, had it surrendered to him. In *Italy* the Duke of *Vendosme* reduced all the *Trentine*; but the Duke of *Savoy's* Correspondence with the Allies being then discover'd, he was obliged to quit that Country, and retiring to secure what was behind, seized and disarmed such of the Duke of *Savoy's* Forces as were in his Army,

Army, and then routed *Visconty*, sent with about 2000 Horse to join the said Duke. Towards the Low-Countries the Confederate Forces were more successful, and made themselves Masters of *Bonne, Huy* and *Limburg*. But the most considerable Event of this Year was the declaring of *Charles* Archduke of *Austria*, and second Son to the Emperor *Leopold*, King of *Spain*, two years after his Competitor had been in Possession, and own'd by most of the Princes in *Europe*; as also the King of *Portugal's* coming into the Alliance, whereupon the Confederate Fleet shew'd it self at *Lisbon*, and thence sailed into the Streights. In *December*, this Year, the aforesaid new King of *Spain* arrived in *England*, where he continued till *February* 1704, when the English Fleet carried him to *Lisbon*, in order to his invading of *Spain* that way; but on the contrary King *Philip* entered *Portugal*, took *Portalegre*, *Salvaterra*, and many other Places, and might have perhaps have advanced to *Lisbon*, had not the Treachery of the Proveditor General of his Army obliged him to return home. The Confederate Army of the *Low-Countries* march'd this year into *Germany*, where their first Action was defeating a Body of *Bavarians* at *Schellemergh*, which open'd them a way into

into *Bavaria*, where some time after, they gained a mighty Victory at *Blenheim* over the *French* and *Bavarian* Armies, the consequence whereof was the reducing of all that Electorate under the Emperor's Obedience, and the taking of *Landau*. The main Armies being, as we have seen, employ'd in *Germany*, there happened the less worth observing in the *Netherlands*; but in *Italy* the *French* were more successful, making themselves masters of the Valley of *Aosta*, and taking the strong Towns of *Vercil*, *Ivrea* and *Verrue* in *Piemont*. The Confederate Fleet, after a fruitless Attempt made upon *Barcelona*, returning' to the Mouth of the Streights took *Gibraltar*, and some time after fought the *French* off *Malaga*, both Sides claiming the Victory, and neither having much to boast of.

The most remarkable Actions of the Year 1705, were the forcing of the *French* Lines in the *Low-Countries*, whereof no great Advantage was made, the Confederates being stop'd at the *Dyle*; the taking of *Haguenau* and some other Posts by the Imperialists on the upper *Rhine*, which secured them Quarters in *Alsace*; the Bat-tel of *Cassano* in *Italy*, wherein the Imperialists, tho' they put the best Face upon it,

it, had much the worst, and the French took the City of *Nice*, on the Sea, and the strong Fortrefs of *Montmelian* in *Savoy*. The Confederates were more successful in *Spain*, where they took *Barcelona*, and by that means made themselves masters of almost all *Catalonia*; but on the other side the Portugueze Army laying Siege to *Badajoz*, was obliged to raise it in a shameful manner.

The following Campaign of 1706, began in *Spain* with the Siege of *Barcelona*, by the *Spanish* and *French* Forces, which being too weak for that Enterprize, were obliged to raise it dishonourably, upon the arrival of the English Succours in the Place. The *Portugueze* Army having also taken *Alcantara*, marched up to *Madrid*, and all the Kingdom of *Aragon* declar'd for King *Charles*; but the *Spaniards* again exerting themselves, and being joined by some *French* Troops, cut off the Retreat of the *Portugueze* Forces, and obliged them to make their way the best they could into *Catalonia*; after which the *Spaniards* recover'd several Places from the Confederates. The Duke of *Vendosme* routed the *Germans* in *Italy* at *Calcinato*, and the Duke *de la Fenillade* laid Siege to *Turin*, but *Vendosme* being called away, the

the *French* were afterwards entirely defeated at *Turin*, by which means they were not only drove from the Siege, but by Degrees lost all they had before gained in *Italy*. The occasion of calling *Vendosme* out of *Italy*, was to command the remains of the *French* Army in *Flanders*, which had been there entirely defeated by the Allies, who by that Victory possess'd themselves not only of *Brussels*, but of the greatest Part of *Brabant* and *Flanders*. The *French* began to be more successful on the *Rhine*, till being forc'd to send the greatest Part of their Army into *Flanders* to make up the loss there, they were obliged to forbear pushing any farther. This Year was remarkable at Home, for the Conclusion of the long Projected Union between the two Kingdoms of *England* and *Scotland*, upon the following Terms.

Articles

Articles for Uniting the Kingdoms of England and Scotland, concluded at London, July the 22d, 1706, and afterwards ratify'd by both Parliaments.

I. **T**HE Two Kingdoms of *Scotland* and *England* to be for ever United into one, by the Name of *Great Britain*.

II. The Succession settled in the House of *Hanover*, and all Papists, or such as marry Papists, excluded.

III. One Parliament to Represent both Nations.

IV. The Subjects of the United Kingdom of *Great Britain* to enjoy all the same Privileges, as to Trade, and other Affairs.

V. All Ships belonging to *Scotland*, though Foreign built, to pass as if built in *Great Britain*.

VI. The same Regulations as to Trade to be and take Place throughout the whole Kingdom of *Great Britain*.

VII. The Excise on Drink to extend over all the said United Kingdom.

VIII. All foreign Salt imported into *Scotland*, to pay the same Duty as in *England*; but Salt made in *Scotland* to be exempt

exempt from the *English* Duty for the Term of Seven Years, and then to pay it; but if imported into *England*, during the said seven Years, to pay the Duty, and none to be imported by Land.

IX. When the Land-Tax in *England* shall amount to 1997763 *l.* 8 *s.* 4 *d.* $\frac{1}{2}$, the Quota for *Scotland* shall be 48000, free of all Charges, and so proportionably.

X. Present Duties of Stamp'd Paper, Vellum, &c. shall not extend to *Scotland*.

XI. The Duties on Windows in *England*, charg'd till 1710, shall not affect *Scotland*.

XII. The *English* Duties on Coal, &c. charged till 1710, shall not be paid in *Scotland* for Coals burnt there, but only for such as are exported.

XIII. The Duty on Malt payable in *England* till 1707, shall not be charged in *Scotland*.

XIV. No Duties laid before the Union shall affect *Scotland*, but it shall be liable to all others given afterwards by Act of Parliament.

XV. The Sum of 398085 *l.* 10 *s.* 00 *d.* to be given to *Scotland*, in consideration of the Excise to be there levied, and an Equivalent, for all that shall arise above 33500 *l.* per *Annum*, to be applied to uses hereafter mentioned;

mentioned ; also an Equivalent to be allowed for Duties on Salt. The 398085*l.* 10*s.* 00*d.* to be apply'd to pay all the publick Debts of *Scotland*, and the Capital Stock of that *African* and *India* Company, with Interest of 5*l.* per Cent. upon Payment whereof the said Company to be dissolved.

XVI. The Coin to be the same in *Scotland* as in *England*, and a Mint continue there.

XVII. The same Weights and Measures to be every where.

XVIII. The Laws of Civil Government to be the same ; but no Alteration to be made in the Laws which concern private Right in *Scotland*.

XIX. The Court of Session, or College of Justice to remain as it is in *Scotland* ; as also the Court of Justiciary. No Causes in *Scotland* to be Cognoscible in any *English* Court.

XX. All Heretable Offices, and Jurisdictions, and such as are for Life, to continue as they are in *Scotland*.

XXI. The Rights and Privileges of Royal Burroughs in *Scotland* to remain entire.

XXII. Sixteen Peers of *Scotland*, and 45 of the Representatives to sit in the Parliament of *Great Britain* ; these to be
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chosen

Chosen by Writ under the Great Seal, directed to the Privy-Council of *Scotland*. The Parliament not to be summoned to meet till Fifty Days after the Date of the Proclamation.

XXIII. The Sixteen *Scots* Peers to enjoy all the Privileges as *English* Peers.

XXIV. One Great Seal to be made for both Kingdoms, and the Quartering of the Arms left to her Majesty.

XXV. All Laws in either Kingdom inconsistent with these Articles, to cease and be declared void.

The Year 1707 proved unfortunate to the Allies in *Spain*, where their Army under the Earl of *Galway* was totally routed at *Almanza*, by the Duke of *Berwick*; thirteen Battallions being made Prisoners of War. The Consequences of this Victory were the reducing the Kingdoms of *Valencia* and *Aragon* under the Obedience of King *Philip*, and the taking of *Lerida*, at the latter end of the Year. To make amends for this, the Emperor's Forces in *Italy* subdued the Kingdom of *Naples*; but the Duke of *Savoy* besieging *Toulon*, was disappointed and obliged to desist with great loss. This Campaign in *Germany* proved favourable to the *French*, who forc'd the Lines at *Stolhoffen*, and penetrat-

penetrating into *Germany*, took a vast Booty and raised immense Contributions, after which they retired to their own Borders. The Duke of *Vendosme* commanding the *French* Army in the *Netherlands*, the Allies had no Opportunity of gaining any Advantage this Summer, which prov'd altogether unactive.

The first remarkable Transaction of the Year 1708, was the disappointment of the *French* Squadron from *Dunkirk*, in their intended Invasion of *Scotland*. In *Spain*, King *Philip's* Forces possess'd themselves of *Tortosa*; nor did the *French* begin the Campaign less fortunately in the *Low-Countries*, making themselves Masters of *Ghent* and *Bruges*, without any opposition, and laying Siege to *Audenarde*; but their Prosperity was not lasting, for the Duke of *Burgundy*, who then commanded their Army, thwarting all the Designs of the Duke of *Vendosme*, they were worsted at that Place, and gave way to the Confederates to besiege *Lisle*, which was also taken after a long and dangerous Siege; and to conclude the Campaign, *Ghent* and *Bruges* were in the dead of Winter recovered by the Allies. In the Streights the Island of *Sardinia* submitted, without any Resistance, to a few Forces brought thither by the Confederate Fleet

under the Command of *Sir John Leake*, and *Port Mahon*, in the Island of *Minorca*, was taken by *General Stanhope*. The Duke of *Savoy* on his side, took *Exilles* and *Fenestrelles*. On the *Rhine* nothing was done worth observing.

The following Year 1709, began with Negotiations for a General Peace, to procure the which, the President *de Rouille* came from *Paris* to *Antwerp* in *March*, where he was afterwards seconded by the *Marquess de Torcy*, and after several Conferences with the Ministers of the Allies, these last, as their ultimate Determination, concluded on the following Articles to be only as Preliminaries to a Treaty to be set a foot upon that Foundation.

The Preliminary Articles.

I. **T**O proceed to a firm and lasting Peace, Confederacy and Alliance, between the Confederates and his most Christian Majesty, &c.

II. Preliminary Articles agreed on towards this Work.

III. The most Christian King to acknowledge King *Charles* the Third, as King of *Spain*, and all its Dominions, excepting

cepting what the said King is to give to the King of *Portugal* and the States-General.

IV. The Treaty of Peace to be concluded within two Months, and the Duke of *Anjou* within that time to resign up all the Dominions of *Spain*, or if he refuses, to be compelled by all the Allies, in Conjunction with the most Christian King.

V. To this end the King of *France* to withdraw within the said time all his Forces out of *Spain* and the Dominions thereof, and never to assist the Duke of *Anjou* in any manner whatsoever.

VI. The whole Monarchy of *Spain* to remain to the House of *Austria*, and no part thereof to go to *France* or any Prince of the House of *Bourbon*.

VII. Particularly *France*, shall not possess it self of the *West-Indies*, or send any Ships thither.

VIII. His most Christian Majesty to restore to the Emperor the Town and Citadel of *Strasburg*, and Fort *Kehl*, with 100 Pieces of Cannon, &c.

IX. Also the Town of *Brisac*.

X. He shall possess *Alsace* in the literal Sense of the Treaty of *Westphalia*, but the Emperor to have *Landau*.

XI. The said King at his own cost shall demolish all the Fortifications from *Basil* to

Philipsburg, viz. Hunninghen, New Brisac, Fort Lewis, &c.

XII. The Town of *Rhenfelts* to remain in the Possession of the Landgrave of *Hesse Cassel*.

XIII. The revoking of the 4th Article of the Treaty of *Reswick* to be refered to the Negotiations for a General Peace.

XIV. The most Christian King shall acknowledge the Queen of *Great Britain*.

XV. Also the Succession in the House of *Hanover*.

XVI. He shall yield up all *Newfoundland* to the Crown of *Great Britain*, with whatsoever may have been taken in the *West-Indies*.

XVII. His Majesty to demolish the Fortifications of *Dunkirk*, and fill up the Harbour.

XVIII. The Person who pretends to be King of *Great Britain* to depart *France*.

XIX. Commerce with *Great Britain* to be settled in the Treaty.

XX. *Portugal* to enjoy all Advantages stipulated with his Allies.

XXI. The King of *Prussia* to be own'd in that Quality and not disturb'd in the Possession of *Neuschatel* and the *Vallingen*.

XXII. His Majesty shall yield up to the States-General, *Furnes, Menin, Tpres, Lisle,*

Lisle, Conde and Mauberge, with all their Dependencies, &c.

XXIII. The said King shall restore all Places taken by him in the *Netherlands*, in the Condition they are, and the Roman Catholick Religion shall be maintain'd in them.

XXIV. No Artillery or Ammunition shall be taken out of the Places to be restored.

XXV. The Trade with *Holland* to be restored on the Foot of the Year 1664.

XXVI. The King shall acknowledge the Ninth Electorate in the House of *Hanover* at the signing of the Peace.

XXVII. The Dutchy of *Savoy* and County of *Nice* shall be restored to the Duke of *Savoy*.

XXVIII. *Exilles, Fenestrelles, Claremont, the Vale of Pragelas*, shall be made over to the Duke of *Savoy*, and the Mountains to be a Barrier betwixt *France* and *Piemont*.

XXIX. The Pretensions of the Electors of *Cologne* and *Bavaria* shall be referred to the Treaty of Peace; but the *Palatine* shall remain possess'd of the *Upper Palatinate* and the County of *Cham*, and the *Dutch* Garrisons shall remain in the Towns of *Iduy* and *Bonne*, and the Citadel of

Liege, till otherwise agreed with the Emperor and Empire.

XXX. For removing all Doubts, and furthering the Execution of these Articles.

XXXI. Agreed, that the farther Demands on both sides shall not interrupt the Cessation of Arms, hereafter mention'd.

XXXII. The Empire, the Circles, the Kings of *Portugal* and *Prussia*, the Duke of *Savoy*, and other Allies, may make their Demands at the General Congress.

XXXIII. This Negotiation shall be finished in two Months, if possible.

XXXIV. To that end there shall be a Cessation of Arms for two Months.

XXXV. The most Christian King upon the Ratification of these Articles, to deliver up, *Namur*, *Mons*, *Charleroy*, *Luembourg*, *Conde*, *Tournay*, *Blauberge*, *Newport*, *Furnes*, *Fort Knocque* and *Tpres*, and to demolish *Dunkirk*; as for *Strasburg* and *Fort Kehl*, as in the eighth Article.

XXXVI. The said King to execute all that has been stipulated, before the expiration of the Two Months.

XXXVII. The King executing all as abovesaid, and the whole *Spanish* Monarchy being delivered up to King *Charles III.* within the two Months, the Cessation

tion of Arms shall continue till the Conclusion of the Peace.

XXXVIII. This to be the Basis and Foundation of the Treaty of Peace.

XXXIX. Days appointed for ratifying of these Articles.

XL. The Treaty of Peace to begin the 15th of *June* ensuing, at the *Hague*.

These Articles were signed at the *Hague* the 28th of *May*, 1709, by the Ministers of all the Allies; but the Articles themselves plainly show it was not practicable for the Ministers of *France* to sign, or for their King to approve of them, since it was entirely putting himself into the Hands of his Enemies; by giving up his strong Holds, without any assurance of a Peace, they being left at liberty to Demand whatsoever they thought fit, after he was exposed thus to their Mercy; and obliging himself to deliver up all the *Spanish* Monarchy, which was out of his Power, in two Months; a time too short to acquaint several Parts of it with what had been done. In short, there being no possibility in the Performance, the Treaty ended and the War was carried on with the following Success.

The *Portuguese* Army was routed by the *Spaniards* on those Frontiers, yet no great

great advantage was made by the *Spaniards* of their Victory. In the *Low Countries*, the Confederate Army laid Siege to *Tournay*, a strong Place for Works, but weak in Garrison, and destitute of Provisions, so that it was sooner reduced than might have been otherwise expected, the last Days Provision being deliver'd out, when the Town was surrendered. Next followed the Battle of *Blaregnies*, wherein the *French* were so much worsted, as to lose the Field of Battle, and give the *Allies* the opportunity of besieging *Mons*; which being no better provided than *Tournay*, followed the same Fate, and so the Campaign ended on that Side. *Italy* afforded nothing very material; for tho' the *Allies* were superior in Forces, the Duke of *Berwick* with the *French* Army secured the Passes so well, that they could gain no Advantage. For this Reason General *Mercy* was detach'd from the Army on the *Rhine*, with 6000 Men to have penetrated through *Burgundy*, and come on the back of the Duke of *Berwick*, but the Count *de Bourg* gave him so entire a Defeat, that not one third of his Men escap'd, and so ended the Actions in those Parts. *Catalonia* afforded nothing of more moment than Count *Starembergh's* taking of the Town of *Balaguer*. All we shall

shall add, tho' remote, is the great Defeat of the *Swedish* Army by the *Muscovites* at *Paltowa*, which obliged the King of *Sweden* to fly for Protection to the *Turks* at *Bender*, in the Province of *Bessarabia*, where he has continued ever since. About the end of the Year M. *Petecum*, the Resident of *Holstein Gottorp* at the *Hague*, having made a Journey to *Paris*, return'd, and again propos'd the renewing of the *Negotiations* for a Peace; but the Allies insisting on the former *Preliminaries*, nothing was then done.

However, this Year will be ever famous for the Concluding of the lately so much talk'd of Barrier Treaty, between *England* and *Holland*, which was kept very secret; but as nothing can be always so, it came out at last: the *Articles* of it were as follows.

The Barrier Treaty between the Queen of Great Britain and the States-General.

I. **F**ORMER Treaties of Peace, &c. between the Queen and the States confirm'd by this.

II. The

II. The States engage to maintain the Succession to the Crown of *England* in the House of *Hanover*.

III. The Queen and the States will employ all their Force to recover the rest of the *Spanish* Low-Countries.

IV. And further to recover as many Towns and Forts as they can, to be a Barrier to the States.

V. The Queen will use her endeavours to procure, that in a Treaty of Peace it may be agreed, that all the *Spanish* Low-Countries, and what else may be found necessary, whether conquer'd or unconquer'd Places, shall serve as a Barrier to the States.

VI. To this end the States shall put Garrisons into *Newport*, *Furnes*, *Fort Knoche*, *Ypres*, *Menin*, *Lisle*, *Tournay*, *Conde*, *Valenciennes*, and Places which shall be conquer'd from *France*, *Maubeuge*, *Charleroy*, *Namur*, *Liere*, *Hall*, the Forts of *Perle*, the Castle of *Ghent* and *Dendermond*, *Philip*, *Damme*, and *St. Donas* shall be yielded in Propriety to the States; and the Fort of *Rodenhusen* on this side *Gant*, shall be demolished.

VII. The said States may put as many Troops as they shall think necessary, into all Places in the *Spanish Netherlands*.

VIII.

VIII. They may also send unto them all Provisions, Ammunitions, &c.

IX. The said States may appoint such Governors and Commanders in all Places mention'd in the 6th Article, as they shall think proper, who shall be only subject to their Orders.

X. They shall have liberty to fortify those Places, and do whatsoever shall be useful for their Defence.

XI. The States shall have all the Revenues of the Places they are to have for a Barrier, which were not in the Possession of the late King *Charles II.* besides 100000 Crowns every three Months, out of the clearest Revenues of the *Low-Countries*, which the said King was possess'd of, for maintaining their Garrisons, &c. And endeavours shall be used for enlarging the Jurisdictions, and particularly for including those of *Ypres*, *Cassel*, the Forest of *Niepe*, and the Jurisdictions of *Lisle* and *Doway*.

XII. No Town, Fort, Place, &c. shall be granted or given to the Crown of *France*.

XIII. Her Majesty to endeavour to see all these things perform'd.

XIV. The States shall put Garrisons into the Towns taken or to be taken, and
King

King *Charles* not to enter into Possession of any Part of the *Low-Countries*.

XV. That the States shall never be disturb'd in their Right and Possession of what is granted them by the 14th and 15th, 16th and 17th Articles of the Treaty of *Munster*.

XVI. The Queen and States to furnish Forces to maintain her Majesty in the Possession of *Great Britain*, the House of *Hanover* in the Succession, and the States in the Possession of the Barrier.

XVII. A particular Convention to be made for furnishing of Succours on both sides.

XVIII. The Queen and States to assist one another, if attack'd on account of this Convention.

XIX. Other Princes and States to be invited and admitted into this Convention.

XX. *France* by way of Preliminary shall be obliged before any Treaty to acknowledge the Queen of *Great Britain*, and the Succession in the House of *Hanover*, and to remove the Person who pretends to be King of *Great Britain*.

At the *Hague*, October 29, 1709.

First Separate Article. The Dutch to continue their Garrisons in the Citadel of *Liege*, and Towns of *Huy* and *Bonne*.

Second

Second Separate Article. The Limits of the Dutch to be enlarged in *Flanders*.

With this remarkable Treaty we will conclude the Year 1709, to proceed to that of 1710, which began with the famous Tryal of Dr. *Sacheverel*, and occasioned such a mighty turn in Affairs, as has been amazing, but belongs not to this Work. *France* again made Overtures for Peace, and such Condescensions, that the Dutch gave Passes for the *Marschal de Uxelles* and the *Abbot de Polignac*, to come to *Gertrudenburg*, the Place appointed to Treat. They came, and were so narrowly observ'd, that none were admitted to them but the two Dutch Deputies, *Buys* and *Vanderdussen*, so that the Ministers of the rest of the Allies knew nothing of what was transacted any farther than those two were pleased to represent it to them, of which proceeding, some of their Ministers, and particularly the Emperor's complain'd. *France* certainly offered much; but more was demanded than was in the Power of that King to grant, or could he have granted, there was still an endless Power reserv'd to demand more. The Proposals we were told he made, are,

I. To

I. To own the Arch-Duke *Charles* King of *Spain*, after the signing of the Peace, and to withdraw all his Forces from that Kingdom, and the Dominions thereof.

II. To restore *Strasburg*, *Fort Kehl*, *Brisac* and *Rhinfelds*, and to demolish all the Fortifications along the *Rhine*; as also to own the King of *Prussia* and the Ninth Electorate in the House of *Hanover*.

III. To acknowledge the Queen of *England*, and yield up to her all *Newfoundland*.

IV. To yield up to the Dutch, *Furnes*, *Fort Knocque*, *Menin*, *Tpres*, *Lisle*, *Tournay*, *Conde* and *Maubeuge*.

V. To grant all the Allies demanded for the Duke of *Savoy*, in the 27th and 28th of the above recited Preliminary Articles; provided the Electors of *Bavaria* and *Cologne* be restored.

The Allies were not for any Peace, and therefore would hear of nothing but the King's divesting himself of all Power before they began to Treat, and so the Conferences broke up. The Affairs of the Allies still prosper'd in the *Netherlands*, *Doway* was first taken, after a long

long Siege, and then follow'd by the Reduction of *Bethune*, *St. Venant* and *Aire*. *Spain* afforded the Confederacy still a more pleasing Prospect for a time; the Army of King *Philip* was worsted at *Almenara* in *Catalonia*, and being forc'd to retire upon that disadvantage, and closely pursu'd by Count *Staremburg*, entirely defeated at *Saragoza*. All *Spain* seem'd to be now reduc'd, the Confederate Army march'd to *Madrid*, King *Charles* was in Possession of that Court, *Toledo* and many other Places submitted. In the mean while King *Philip* drew Supplies from all Parts of *Spain*, and being reinforc'd from *France*, march'd back to *Madrid*, which the Confederate Army abandon'd, he follow'd at their Heels, took all the English Forces in the Town of *Brihuega*, and routed Count *Staremburg* at *Villa Viciosa*, by that means recovering all he had lost before. Here we will conclude the Year, *Germany* and *Italy* offering nothing to compare to these great Events.

The Year 1711 afforded nothing in the Low-Countries, but the taking of *Bouchain* by the Confederates, and the Campaign in *Germany*, *Savoy* and *Spain* was rather more inconsiderable. Though this Year was not very remarkable in the Field, it will ever be reckoned fortunate for hav-

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ing given Birth to the Negotiations for a General Peace, sincerely begun and carry'd on, first between *France* and *Great Britain*, and then in the General Congress at *Utrecht*. It is none of our Part to dive into the Secret Original of this Treaty, the design of this small Volume, being no other than an Historical Account of the Wars, or other Motives which occasioned such Negotiations, and the Points agreed on in them. The first thing that appeared in publick relating to this Affair, was what goes by the Name of the Preliminary Articles, and were as follows :

I. That the King of *France* will acknowledge the Queen of *Great Britain* in that Quality, and the Succession according to the present Settlement.

II. That he will sincerely consent to such Measures as may prevent the Uniting of the Crowns of *France* and *Spain* under one Head.

III. That all Parties engag'd in the War, have a reasonable Satisfaction, and Commerce may be re-established and maintain'd.

IV. That the Dutch shall be put into Possession of such fortify'd Places in the *Netherlands*, as shall be mentioned in a Treaty for their Barrier against *France*.

V. That

V. That a Barrier be form'd for the Empire and House of *Austria*.

VI. That *Dunkirk* be demolished after the conclusion of a Peace, on Condition a proper Equivalent be given to *France*.

VII. All the Pretensions of the Princes and States ingaged in the War to be discuss'd in the Conferences for a General Peace.

These Preliminaries were long bandy'd about; the two Parties in *England* approving or condemning the Proceedings, according as they were led by Affection, and the People Abroad generally exclaiming against them, as having proposed to themselves the obtaining of whatsoever they should demand; not to mention other Motives Ministers had for protracting the War: To pass by all that is not material, the Queen at length prevail'd with the Allies to send their Plenipotentiaries to *Utrecht*, the Place appointed for the Negotiations, and accordingly on the 29th of *January*, 1713 they met the first time, those present being, two for *Great Britain*, four for *Holland*, two for *Savoy*, and the three Plenipotentiaries for *France*. On the 9th of *February* the Imperial Ministers arriv'd at *Utrecht*, a General Congress was held the next Day, and on the 11th the French

gave in the Explanation of their Proposals, which was to this effect :

I. The King at the signing of the Peace to acknowledge the Queen of *Great Britain* and the Succession according to the Act of Settlement.

II. To demolish the Fortifications of *Dunkirk*, provided an Equivalent were given to his Satisfaction.

III. The Island of *St. Christopher*, and *Hudson's Bay* to be yielded up to *Great Britain*; and *Acadia*, with *Port-Royal* restor'd to *France*.

IV. *Newfoundland* yielded to *Great Britain*, only reserving *Placentia* to *France*.

V. Commerce to be settled in a particular Treaty.

VI. The *Spanish Netherlands* given to the Elector of *Bavaria* to serve for a Barrier to *Holland*.

VII. The Dutch to Garrison the Barrier.

VIII. *Lisle* and *Tournay* to be the Equivalent for Demolishing of *Dunkirk*.

IX. Commerce with *Holland* to be as in 1664.

X. Trade in the *West-Indies* to be as in the Reign of King *Charles II.* of *Spain*.

XI. King *Philip* to renounce *Naples*, *Sardinia* and *Milan*.

XII.

XII. Frontiers on the *Rhine* to be as before the War.

XIII. Electors of *Bavaria* and *Cologne* to be fully restor'd.

XIV. All things taken on both sides between *France* and *Saxony* to be restor'd.

XV. *Portugal* to be as before the War.

XVI. The Crowns of *France* and *Spain* never to be united under one Head.

XVII. Former Treaties to be confirm'd.

Nothing of Note hapned from this time, till the 5th of *March*, when the Ministers of the Allies gave in their Specifick Demands, as follows.

The Emperor Demanded, the Restitution of all things relating to the Empire on the foot of the Treaties of *Munster*, *Nimeguen*, and *Ryswick*; as also of the Duke of *Lorraine*; the entire Monarchy of *Spain*; Reparation of Damages to all Subjects; satisfaction to all the Allies, and full Power to demand whatsoever he thought fit when this should be granted.

The Queen of Great Britain's Demands were, to be own'd as such, and the Succession as limited by Act of Parliament; no other Person to be acknowledg'd King or Queen of *England*; the Person pretending to that Title to depart *France*; that King,

or his Heirs never to disturb her Majesty, or her Successors; a Treaty of Commerce to be immediately enter'd upon; *Dunkirk* to be demolish'd and never repair'd; the Island of *St. Christopher*, all *Newfoundland* with the Town of *Placentia*, and *Acadia*, with *Port Royal* to be yielded up to her Majesty; as also *Hudson's Bay*; reasonable Reimbursements to be made to the *English Hudson's Bay Company* for Damages; the Subjects of *France* in *Canada*, not to disturb her Majesties Subjects in *America*; reasonable Satisfaction to be given to the Allies; the Electoral Dignity to be own'd in the House of *Hanover*; regard to be had to the Allies, whose Ministers are not yet come to the Congress; the 4th Article of the Treaty of *Ryswick* to be abolish'd; Demands to be made in Favour of the Protestants in *France*, refer'd to the Course of the Negociation; justice to be done the House of *Hamilton* for the Dutchy of *Chastelleraulx*, and Colonel *Charles Douglas* for the Lands taken from him by *France*; satisfaction to be given to her Majesties Friends, who shall be nam'd in the Progress of the Negociation, for Losses and Damages suffer'd by *France*, with Re-establishment of Liberties and Priviledges which they have Right to Claim.

Demands

Demands of the States. To be put in Possession of all the *Spanish Netherlands*, which the late King *Charles II.* was or ought to have been possessed of; no Part of it ever to return to the Crown of *France*; *Dutch* Garrisons in *Liege*, *Huy* and *Bonne* not to be opposed by *France*; Commerce to be restored as in 1664; *French* Protestants to be allowed to retire out of *France*, be restored to their Effects, those born abroad to have the liberty of Subjects of *Holland* in *France*; Liberty of Conscience in *France* desir'd; the Principality of *Orange* to be put into the hands of the *Dutch*; *Dunkirk* to be demolish'd; 4th Article of the Treaty of *Ryswick* to be void; Satisfaction to be given to all the Allies; a Power reserv'd of enlarging and explaining these Articles, for the absent, as in the last above.

Demands of the King of Prussia, To be acknowledged as such, and as Prince of *Orange*, and put into Possession of the Estates belonging to that House; to be acknowledged Lord of *Neufchatel* and *Valingen*; Arrests against Protestants of *Orange* to be recalled; all the Helvetick Body to be included in this Treaty; Subjects of *Prussia* to enjoy all liberty of Commerce; the Town of *Guelders*, and that Part of the Province to remain to his Majesty;

lefty ; Demand for Refugees as in those of the Dutch ; 4th Article of *Ryswick* to be made void ; Allies to have satisfaction, &c. as in the rest above.

Demands of the Duke of Savoy, To be declar'd Successor to the *Spanish* Monarchy next after the House of *Austria* ; the Dutchy of *Savoy* to be restor'd to him, and he invested in the Propriety of *Exilles* and *Fenestrelles* ; all Cessions made to him by the Emperor *Leopold*, to be confirm'd ; it shall be lawful for him to make Fortifications ; the Prince of *Monaco* to take of him the Investiture of the Places of *Menton* and *Roccapruna* ; Commerce and Posts to be as formerly ; his Highness to have liberty to Sell his Estates in *France* ; the Treaty of *Turin* of 1696 to be observed ; liberty of enlarging, Satisfaction for the Allies, &c. as in the others.

Demands of the King of Portugal, all the Dominions of *Spain* to be yielded up to the House of *Austria* ; *France* to yield up to *Portugal* all he pretends to about the North Cape in *Brasil*, for explaining, and the other Allies as in the rest.

Demands of the Elector Palatine, to be maintain'd in the Possession of the Upper *Palatinate*, and restor'd to all Places taken by *France*.

The *Landgrave of Hesse* Demands the abolishing of the 4th Article of the Treaty of *Ryswick* ; to be for ever possess'd of *Rhinfels*, *St. Goar*, and *Fort Katz* ; reparation of Damages sustain'd by the War ; Restitution for the House of *Lorrain* ; the Principality of *Orange* to be put into the Hands of the Dutch, and liberty to explain and enlarge, &c.

The Bishop of *Munster* Demands his Expences to be refunded by *France*.

The Duke of *Wirtemberg* the same reimbursing of Expences ; Confirmation in the Possession of the Lordship of *Wiesenstein* ; and Restitution of the Principality of *Montbeliard* to the Lord *Leopold Eberhard*.

The Elector of *Treves*, restitution of the City of *Treves*, with its Fort call'd *St. Martin*, and the Town and Castle of *Saarbrug*, and all possess'd by his Predecessors before or since the Peace of *Munster* ; Reparation for Losses by the War, the Grand Priory of *Castile* and the Abby of *Palermo*, &c.

The Associated Circles, the Restitution of all that was yielded up to *France* by the Treaty of *Munster* and subsequent Treaties, with Damages and Expences,

All

All having made their Demands, a Specifick Answer in Writing was requir'd of the French Plenipotentiaries, which they at first protracted, and afterwards refused, urging, they would Treat by way of Conferences, as had been generally practis'd; whereupon some of the Confederates grew hot, and were for putting an end to the Treaty, but the English Ministers moderated those violent Proceedings; however there has been no General Congress since that Refusal till this time. What has hapned during that Interval, is to be next observed.

The Allies having no Inclination for Peace were for pushing on the War, and accordingly the Confederate Army took the Field under the Command of Prince *Eugene* of *Savoy* and the Duke of *Ormond*, instead of the Duke of *Marlborough*. Proposals had been made for a General Suspension of Arms, that so the Work of Peace might be the better carried on; but it would not be given Ear to by any of the Confederates. Thus their Army advanc'd within sight of the French, and when Prince *Eugene* propos'd to engage them, the Duke of *Ormond* acquainted him, he had Orders from the Queen not to enter into any Action with the Enemy. The Dutch Ministers complaining hereof to
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the Bishop of *Bristol*, her Majesties Plenipotentiary at *Utrecht*, that Prelate acquainted them, That considering the Conduct of the States towards her Majesty, she thought herself disengaged from all Alliances and Engagements with them. The Parliament sitting at this time, there were some in the House of Commons, who would have questioned the Orders for not acting Offensively against *France*, but it was carried by 203 against 73, to leave that Affair entirely to her Majesty. The Session drawing to an end, the Queen on the 6th of *June* in her Speech to both Houses, gave them an Account of the Terms on which a Peace might be had; the Heads whereof were as follows.

The Protestant Succession in the House of *Hanover* to be acknowledged, and the Person pretending to disturb that Settlement remov'd; King *Philip* to renounce all Claim to the Crown of *France*; the Succession to the *Spanish* Monarchy after the Race of King *Philip* to be settled at the Treaty of Peace, exclusive to the House of *Bourbon*; Commerce to be regulated; the Island of *St. Christopher*, *Hudson's Bay*, all *Newfoundland*, and *Acadia*, or *Nova Scotia*, to be yielded up to the Crown of *Great Britain*; *Dunkirk* to be

be demolish'd; *Port Mahon* and *Gibraltar*
 to be left in her Majesties Possession;
 Trade of *Spain* and the *West-Indies* to be
 as under King *Charles II.* the Contract for
 furnishing the *West-Indies* with Blacks,
 shall be made with *England* for 30 years,
 as enjoy'd by *France* for the last 10 years;
 reasonable Satisfaction to be procured for
 the Allies in the Congress at *Utrecht*;
 the *Rhine* to be the Barrier of the Empire;
France to yield up *Brisac*, *Fort Kehl* and
Landau, and to Demolish all the Fortifi-
 cations, on the other side, and in that
 River; the Protestant Interest in *Germany*
 to be on the foot of the Treaty of *West-*
phalia; the *Spanish Low-Countries*, *Naples*,
Sardinia, *Milan*, and the Places belong-
 ing to *Spain*, on the Coast of *Tuscany*, to
 be yielded to the Emperor; the Kingdom
 of *Sicily*, not determin'd of; the Com-
 merce of *Holland* as by them demanded,
 excepting only some few Species of Mer-
 chandize, and the entire Barrier as de-
 mand'd by them in 1709, except two or
 three Places; Pretensions of *Portugal* to
 be settl'd at the Congress, as also those of
Prussia and *Savoy*; Elector Palatine to
 continue his present Rank among the
 Electors, and remain possess'd of the
 Upper *Palatinate*; Electoral Dignity in
 the House of *Hanover* to be acknowledg'd;
 the

the Interests of the other Allies to be secured.

Both Houses of Parliament return'd Thanks for her Majesties Speech, reposing an entire Confidence in her, but the Allies were not pleased with it. They were more surpriz'd when Prince *Eugene* having caus'd the Trenches to be open'd before *Quesnoy*, the Duke of *Ormond* declar'd he had Orders to proclaim a Suspension of Arms for two Months, between his Army and the *French*, and to send Forces to take Possession of *Dunkirk*. However, this was delay'd for some days, in which time *Quesnoy* was taken. At length on the 16th of *July*, N. S. Prince *Eugene* with the Confederate Army advanc'd from *Quesnoy* towards *Landresy*, which he invested the next day, the Duke of *Ormond* at the same time marching to *Avesne-le-Secq*, where he declar'd the Cessation of Arms for two Months, between the Forces of *Great-Britain* and *France*. His Grace was follow'd only by the British Forces, four Squadrons of *Vander Nath*, *Berner's* Batallion of the Troops of *Holstein Gottorp*, and *Baron Walef's* Regiment of Dragoons; the *Danes*, *Prussians*, *Saxons*, *Hanoverians* and other Mercenaries in *British* Pay, going over to Prince *Eugene*. The *British* Troops in their March were refused Passage thro' any

any Towns where the *Dutch* had Garrisons, but to the great surprize of those People on a sudden possess'd themselves first of *Ghent* and then of *Bruges*, where they still have their Quarters. In the mean time the Marshal *de Villars* having observ'd the aukard Posture of the Enemies Army, made his Advantage of it, and on the 24th of the same Month, attack'd the small Camp which lay to cover Convoys at *Denain*, under the Earl of *Albemarle*, and consisted of 17 Battalions, all which were either taken or cut off, very few Men escaping. The Consequence of this Action was the taking of *St. Amand*, *Mortagne*, *Marchienne*, and other Posts, where they found a vast Quantity of Provisions and Ammunition, besides a good Train of Artillery, which oblig'd the Confederates to raise the Siege of *Landrecy*, and march back to secure their own Frontiers. However, they could not prevent the Marshal *de Villars* laying Siege to *Doway*, and making himself Master, since which he has reduc'd *Quesnoy*, and is now before *Bouchain*, which cannot hold out long.

During this time the Negotiations for Peace have advanc'd very little, but the Suspension of Arms between *France* and *Great Britain* for two Months, being almost expir'd, it has been renew'd for four Months

Months both by Sea and Land, which the Allies have not yet accepted of. The Purport of this Treaty is

I. That there be a general Suspension of all Acts of Hostility between the Armies, Fleets, Ships, &c. of their most Christian and Britannick Majesties, during the Term of four Months from the 22d of *August* to the 22d of *December*, 1712.

II. If any thing contrary to this Suspension should be done during the said time, Reparation to be made on both sides.

III. Ships to be restor'd if taken twelve days after signing this Suspension, in the Channel and North Seas; six Weeks after it, from the British and North Seas to Cape St. *Vincent*, and beyond that Cape to the Line, either in the Ocean, or *Mediterranean*; and six Months after beyond the Line, in all other Parts of the World.

IV. None of her Britannick Majesties Ships, or of her Subjects, shall transport to *Portugal*, *Catalonia*, or other Parts where the War is now made, Troops, Horses, Arms or Ammunitions and Provisions.

V Her Britannick Majesty may transport Troops, Ammunition, Provisions, &c. to *Gibraltar* and *Port Mahon*, which are to remain in her Possession, or withdraw from *Spain* the English Troops, &c.

VI.

VI. The Queen may lend her Ships to to transport to *Portugal* the Troops of that Nation, which are in *Catalonia*, and to transport to *Italy* the German Troops which are in the same Province.

VII. This Suspension of Arms being declar'd in *Spain*, the Blockade of *Gibraltar* to be raised.

VIII. The Ratifications of this Treaty to be exchanged in 15 days, or sooner.

These are the present Dispositions towards a General Peace, which is to produce the next Treaty to be added to these, but being a Work of such Consequence, and wherein so many are concern'd, may require a considerable time, tho' all things seem to be in a good Tendency toward it.

FINIS.